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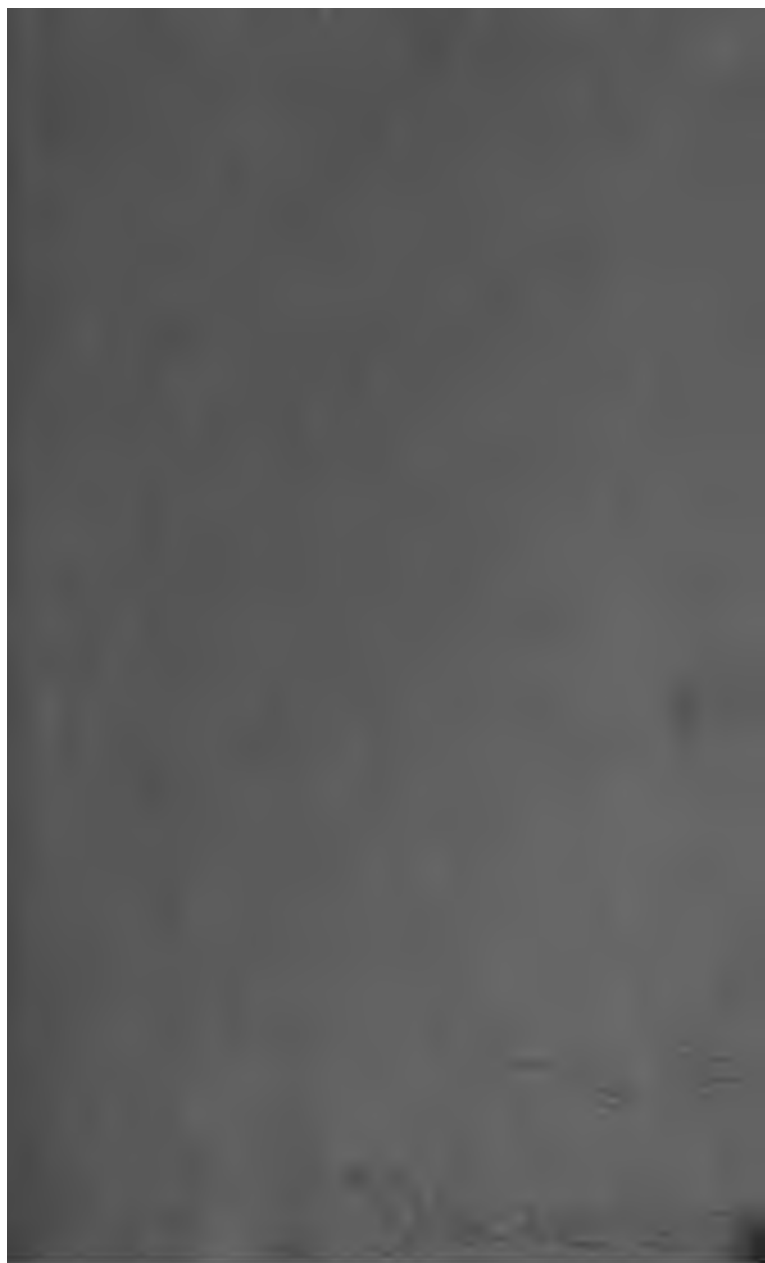
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TRANSFER FROM LENOX.

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# SOCIAL REFORM

IN

ENGLAND.

BY

LUCIEN DAVESIÈS DE PONTÈS.

TRANSLATED BY THE WIDOW OF THE AUTHOR.

WITH APPENDICES BY THE TRANSLATOR.



LONDON AND NEW YORK:

CASSELL, PETTER, AND GALPIN.

1866.

G. O. N.

LONDON :  
CASSELL, PETTER, AND GALPIN, BELLE SAUVAGE WORKS,  
LUDGATE HILL, E.C.



Dedication.

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TO HER OWN AND HER DEPARTED HUSBAND'S DEAR AND

HONOURED FRIEND,

MATTHEW DAVENPORT HILL,

TO WHOSE UNWEARIED EXERTIONS IN THE CAUSE OF

HUMANITY THE IMPROVEMENTS OF PENAL DISCIPLINE IN ENGLAND ARE

IN A GREAT DEGREE DUE,

THIS VOLUME IS DEDICATED,

BY THE

WIDOW OF THE AUTHOR.



# CONTENTS.

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	PAGE
MORALISATION OF THE DANGEROUS CLASSES.....	1
APPENDIX.....	82
THE HISTORY OF PAUPERISM IN ENGLAND .....	133
APPENDIX.....	212
WOMAN IN ENGLAND .....	247
APPENDIX.....	371
ENGLISH ELECTIONS (FRAGMENT) .....	384
THE TERRITORIAL, JUDICIAL, AND POLITICAL DIVISIONS	
OF GREAT BRITAIN (FRAGMENT) .....	397



## PREFACE.

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THE first and most essential condition of doing good, is the thorough knowledge of the evil to be combated. The cankers which are eating into the very heart of modern society can be cured only (if cure be possible) after a careful and scrupulous investigation. It is only by patient and diligent research into the causes of destitution that we can discover the means of overcoming, or at least of mitigating it; and to reduce the effective army of crime, we must first know under what moral and social influence that army has been raised and recruited.

But it would be of very little use to expatiate on the nature of the malady, without at the same time proposing the means of removing it. Indeed, a curious and instructive lesson may be learned from the parallel between the disease itself and the remedies employed against it.

To draw a faithful picture of the crime and pauperism which are making such fearful havoc in wealthy and industrial England, and at the same time to paint in true colours the generous efforts of a whole nation to attenuate their evil results and lighten their perils—to point out, on the one hand, the millions plunged in the depths of misery and sin, and, on the other, the institutions of every description established to aid and relieve them—to pro-



claim the mighty power of charity, self-devotion, and wisely-directed philanthropy in alleviating suffering and diminishing crime—this is the task the author of these pages has undertaken—a task as difficult as it is noble, and which he has fulfilled with equal conscientiousness and ability.

Cut off in the prime of life from the literary career of which he was an ornament, from the serious and important labours in the cause of suffering humanity to which his attention was devoted, he had not time to rear a finished edifice, but has left only fragments, the extent and nature of which serve to increase our regret that they should be incomplete.

It was a happy thought of his widow to collect these pages from the reviews and periodicals in which most of them were scattered;\* for, different as is their nature, one common link unites them all. An ardent love of well-doing; a passionate zeal for the amelioration of the poorer classes, and the reformation of the guilty; a remarkable impartiality of judgment; a keen critical acumen, guided and enlightened by religious faith;—these constitute the pervading spirit of all the author's works; more especially of these pages, to which we are happy to append our name.

DE METZ.

*Metz, August, 1865.*

\* The works already published by M. D. de Pontès :—"Études sur l'Angleterre;" "Études sur l'Orient," two editions; "Notes sur la Grèce;" "Études sur Paris;" "Études sur la Gaule;" "Traduction en Vers de Childe Harold."

## TRANSLATOR'S PREFACE.

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THE second French edition of the "*Études sur l'Angleterre*," just issued from the press, and of which this volume is a translation, has been considerably enlarged, partly by many pages omitted from want of space in the "*Revue des Deux Mondes*," where the two first articles originally appeared, and partly by appendices carrying on the history of crime and pauperism to the present day.

These appendices have been added by the widow of the author, at the desire of several individuals interested in the cause of humanity, who believe that the main object of M. de Pontès—viz., the welfare of society, the relief of suffering, and the reformation of the criminal—will be promoted in France by some information on what has been done on the other side of the Channel during the last seven years for the improvement of the condition of the poorer classes, and by the assurance that the introduction of a portion at least of the Irish system, so warmly approved by the author, into the penal discipline of England, has been already attended with the most encouraging results.

In offering the English public an *English* edition of the "*Études*," the translator has been actuated by the

belief that many whose attention is most earnestly directed to these questions, would prefer reading the pages which treat of them in their own tongue. The appendices, however inadequate, are at least the result of careful investigation and personal acquaintance with the subject, aided by the knowledge and experience of some of those to whose untiring efforts the improvements she has recorded have been mainly due. Whatever the defects of the translation, she trusts they will not mar the interest which, in the opinion of the English as well as the French press, this volume must possess for every thoughtful and enlightened mind.

*July, 1866.*

# SOCIAL REFORM

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## E R R A T A .

- Page 20, line 23, for "appellative," read "appellation."
- „ 21, „ 13, for "it costs the country," read "each child cost."
- „ 69, note 2, for "it has been," read "it has not been."
- „ 77, „ 23, for "of committing them," read "of perpetrating them."
- „ 104, „ 2, for "ward," read "world."
- „ 113, „ 26, for "less gentle," read "less guilty."
- „ 118, „ 17, for "47,092," read "17,092."
- „ 173, „ 25, for "to their dishonest graves," read "dishonoured graves."
- „ 174, „ 14, for "a greater part," read "the greater part."
- „ 195, „ 24, for "upon our paths," read "in our path."
- „ 234, „ 6, for "to condemn co-operation," read "co-operative societies."
- „ 325, „ 31, for "actually engaged," read "actively engaged."
- „ 338, „ 23, for "needs another," read "another area."
- „ 367, „ 16, for "love of morality," read "tone of morality."
- „ 380, „ 34, for "indifference," read "indifference to worldly pleasures."

world—to ameliorate the public mind, by the prohibition  
of the sale of spirituous liquors—to improve the habitations  
of the labouring classes—to evolve and carry into execu-  
tion a penal system, combining the reformation with the

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# SOCIAL REFORM

## IN ENGLAND.

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### MORALISATION OF THE DANGEROUS CLASSES.

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#### PART I.

##### INDUSTRIAL SCHOOLS.—REFORMATORIES.—LODGING-HOUSES FOR THE POOR.—PRISONS.

NOTHING is more favourable to social progress than those pacific agitations which in England constitute one of the habitual exercises of liberty. Among the reforms undertaken within the last twenty years, under this energetic and salutary influence, are three which merit peculiar attention. The first has already been crowned with success, and sanctioned by legislative enactments; the result of the second depends on a propaganda actively carried on in the United Kingdom; the third is as yet on trial, on a great scale in Ireland. To adopt and educate those unfortunate children, who, abandoned by their natural protectors, are thrown friendless on the world—to ameliorate the public health, by the prohibition of the sale of spirituous liquors—to improve the habitations of the labouring classes—to evolve and carry into execution a penal system, combining the reformation with the

punishment of the offender, such are the benevolent labours to which the philanthropists of England are devoting their energies, with an indefatigable perseverance which commands both sympathy and admiration. It is the result of these attempts we desire to lay before our readers—from the schools, where the moral training and improvement of the honest poor are the objects of such untiring zeal, to the prisons, where such strenuous efforts are being made to reform the criminal.

The annual amount of thefts in the United Kingdom is estimated at £5,200,000 sterling. The original cause of these numerous offences may be generally traced to a neglected childhood, to the influence of misery and bad example, and frequently to direct training in crime.\* The melancholy fact has been recently certified in the House of Commons that there are in England above two millions of children who receive no education whatever, either primary or industrial. In consequence, all the active forces of the country are united against the dangers of such a situation, with an ardour which neither party struggle, religious controversy, nor the sacrifices entailed by the present war,† can weaken or abate. Whig, Tory, and Radical, Anglican, Catholic, Puseyite, Baptist, Quaker, and Unitarian, all act together with one common accord in seeking to alleviate misery and diminish crime. Nor are these efforts greater than

\* The following list will prove more than the longest commentary, 1856, Liverpool:—

“C. B. convicted for thieving; mother receives the plunder, and urges him on.

“B. P. The father and mother keep two houses, one for young thieves, the other for the receipt of their plunder; his children mix with the thieves. The mother excels in villany, and the children are going on her track,” &c.

† The Crimean war.

are demanded by the peculiar circumstances in which the country is placed. England needs all her energy to wrestle successfully with the pauperism and depravity which seem to increase in direct ratio with the increase of national prosperity.

A sheriff substitute of Aberdeen, Mr. Watson, was one of the first to perceive the fatal results of committing young boys and girls to prison, and to discern that it was the surest way of raising up a body of hardened malefactors. The tender age of these youthful offenders, and the state of complete neglect and ignorance in which they were left by their natural protectors, rendered them scarcely responsible for their own misdeeds. He began to inquire whether it might not be wiser and better to save these children from crime than to punish them for being criminals. After maturing his plans for a considerable time he proceeded to action. On the 1st of October, 1841, with the aid of a few philanthropic friends, he opened an institution of a completely novel character, partaking of the workhouse, the primary school, and the workshop. The very first day twenty children, who had hitherto lived only by thieving and begging, attended the school, where, in addition to food for mind and body, they were offered an apprenticeship to any trade they might select. Such tangible benefits could not fail to be appreciated by all classes of the population ; the pecuniary resources of the industrial and feeding school of Aberdeen increased rapidly, and in 1856 it numbered sixty-five scholars, from five to fourteen years of age ; the aggregate cost of each amounting to £3 1s. per annum, with a deduction made for the very slight produce of his labour. The system of feeding was considered objectionable by certain political economists ; but how was it possible to attract and retain children accustomed to a wandering life



during a whole day without appeasing their hunger? This, indeed, appeared the only certain method of ensuring their attendance. The privation of three substantial meals per day, the penalty of vagrancy, proved an irresistible argument, and secured for the schools of Aberdeen an attendance far more assiduous and regular than that of similar establishments where the children did not dine. But Mr. Watson rightly felt that no education which confined itself to mere intellectual culture, which did not seek to open the mind to the hopes of a better world, could succeed in correcting the evil propensities of these unfortunate children, born and bred in ignorance and vice, and, indeed, would probably serve only to render them more envious of their neighbour's goods, and more skilful in defrauding them. "The higher and middle orders of society," says Mr. Alexander Thomson, who has recorded the history of these popular schools, "have other checks which save them from the path of crime, and preserve the semblance, at least, of virtue, even where the reality is wanting; but in the lowest classes, without a sincere and deep religious faith—nay, without the firm belief in another and a happier world, to compensate them for their sufferings in this—the most frightful disorder must ensue." It was, therefore, to instil religious principles that the founders of the schools of Aberdeen directed their special efforts.

To most of these children regular labour was completely unknown. In their miserable homes they had never received any example of industry, and for some time it was found impossible to induce them to apply to any study or employment whatever. But gradually, by the combined aid of reason and authority, the teachers succeeded in taming these half-savage natures, and the greater part of the pupils, ere leaving the school, were in a condition to earn an honest livelihood.

The question whether or not the children should be lodged in the establishment itself presented considerable difficulties. On the one hand, it was feared that, if permitted to return home at night, all the good impressions of the day would be speedily obliterated by the bad example of the evening. Happily for the cause of moral reform, the insufficiency of their resources compelled the founders to abandon the original idea of housing the pupils; for fifteen years' experience have proved, beyond the possibility of a doubt, that these daily returns to the parental roof are rarely attended with danger to the children, while the lessons these young creatures bring back to the bosom of the family often exercise the most salutary influence on its members. It is not rare to find that the first seeds of moral regeneration in the hearts of depraved parents have been sown by the lisping of these childish lips.

The success of this effort led to the erection of a similar school for girls; it was opened the 5th of June, 1843, and the number of pupils rapidly rose from thirty to sixty. But these two schools did not supply the wants of the population of Aberdeen. There was a class of children still lower in the scale of misery and vice who never made their appearance there. The directors, in concert with the magistrates, proceeded to found a third establishment, called the "Juvenile School." This was to receive both boys and girls, for in England the two sexes are seated side by side on the same forms, and mingle in the playground, till they are ten or twelve years old; and this custom, which in France would be considered as most objectionable, is here regarded as favourable to public morality. The committee of the soup-kitchen lent its committee-room, the vestry offered to pay the teachers, and the police were authorised to bring into the school

all the young vagabonds, who in virtue of an Act of George IV., which had long been a dead letter, were liable to sixty days' imprisonment.

The work was commenced May 19th, 1845, with the incredibly small sum of £4 sterling. The respectable artisans of Aberdeen felt so keenly the utility of an institution which preserved their children from moral contamination, and from contact with thieves and vagabonds, that the very first year they contributed £250 towards its expenses, while the whole subscriptions of the wealthy citizens did not amount to above £150.

But there was yet much to be done for these unfortunate children. The three asylums received those only who had not been convicted. In 1846 a fourth was opened for the little thieves who had been brought to the bar of a criminal court. The judges, who were not then empowered by law to save these young offenders from the penalty that hung over them, and who yet felt the gross inconsistency of dealing with them in the same manner as with adult malefactors, generally deferred pronouncing sentence till they had instituted an inquiry as to their antecedents, and the condition of their family, reserving the right of inflicting punishment in the event of an attempt to escape, or a repetition of the offence; and meanwhile lodging the young culprits in the workhouse, where they were kept in separate confinement, but permitted to attend the industrial classes. In 1854 this state of things, which was merely provisional, was sanctioned by a legislative enactment, called Dunlop's Act, by which the police were empowered to bring all the young vagabonds found in the street to this establishment.

In 1841, the first year the new schools were opened, there were sixty-one children in the prisons of Aberdeen. Ten years later this number was reduced to eight, but in

1852 it augmented to a considerable degree, and in 1854 it had increased to forty-nine. This naturally excited the alarm of the directors of the school; the cause was soon brought to light. Certain professional thieves, perceiving the excellent results of the industrial schools, had established others on precisely similar principles, with one slight difference only—the nature of the education. They also lodged, clothed, and fed a number of children, whom they carefully instructed in the profession of thieving, affording them opportunities of exercising their skill to the best advantage. The arrest of these novel pedagogues put an end to this dangerous competition, and restored the ordinary attendance to the schools, by reducing the inmates of the prison. When the children made their first appearance at the Industrial School, at the Juvenile Industrial in particular, nothing could exceed the wretchedness of their general aspect. Stunted in body, dwarfish in intellect, with cunning, or stupidity, or both, stamped on every feature, they were certainly as unpromising subjects as could well be conceived; yet, in a very few years, these miserable-looking beings had become healthy in mind and person. The downcast, sullen look was, in most cases, exchanged for a free, open bearing. So great was the confidence inspired by their training, that they never failed to obtain employment, and, generally speaking, turned out well.

Such is the abridged history of the schools of Aberdeen. At the present moment, all the principal towns of Great Britain have similar establishments.\*

In 1854 the Reformatory School Act was passed, authorising the establishment of reformatory schools

\* In 1849, 280 children were living by begging and thieving in Aberdeen. There is not *one* at the present moment (Sept., 1858).

throughout the United Kingdom, and empowering magistrates to send thither all children condemned for theft, or any act punishable with not less than fourteen days' imprisonment, after they had undergone that term of confinement in the gaol. This act, however, was permissive and experimental only ; in fact, it was on its trial.

The annual reports of the Inspector-General of Prisons had at length succeeded in calling public attention to the continued increase of juvenile delinquency. In 1847 a select committee of the House of Lords had taken into special consideration the state of the criminal legislation as regarded youthful offenders. As the result of its deliberations, it declared that the contamination of a gaol was fatal to children committed to prison for a first offence, and recommended the substitution of reformatories, as affording the only chance of diminishing crime. This committee was followed by another in the House of Commons in 1850, and the unanimity of opinion as to the necessity of a new course of treatment to be adopted towards children led to a conference at Birmingham. It was there proposed to make provision for the three classes which most required reformation—namely, those not committed for any offence, but who, from the neglect or extreme poverty of their parents, were growing up in complete ignorance ; secondly, those guilty of vagrancy or mendicancy ; thirdly, those who had been convicted of felony—by free day-schools for the first ; industrial feeding-schools, with compulsory attendance, for the second ; and penal reformatories for the last. It was proposed that the free day-schools should be supported by such extension of the Government grants as might secure their maintenance in an effective condition ; that, for the industrial feeding-schools, magistrates should be authorised to commit juvenile offenders to such schools,

instead of to prison—granting power of detention to the governor, during the appointed period, and enforcing the charge of maintenance as above.

Thanks to this conference, to a variety of valuable works on the same important subjects, and to the agitation which was the result, the enlightened part of the English public began to comprehend the duty and necessity of training up this multitude of children—who, by the mere fortuitous circumstance of birth and surroundings, seemed fated to become the enemies of society—in habits of honest industry.

Numerous reformatories, indeed, both for boys and girls, had been for some years in successful operation, among which we may particularly mention two—one at Redhill, the other at Stretton-on-Dunsmore;\* but as the law did not empower magistrates to send children thither, the directors had no legal right to detain the inmates, and the beneficial influence of the training and discipline was necessarily confined to those who remained of their own free will, and therefore, perhaps, least required it. Besides, large as were the voluntary contributions for the support of these institutions, they were not and could not be adequate to the maintenance of reformatories sufficient for the whole United Kingdom. It was not, however, till the 10th of August, 1854, that, owing mainly to the exertions of the Hon. C. B. Adderley, the Reformatory School Act became the law of the land. The foundation of the reformatories is left to private benevolence, and they are to remain under the direction of the voluntary managers, but the Secretary of State makes a grant for each child sentenced by the magis-

\* There were also the Perth Boys' School of Industry, 1843; the Lancashire Female Industrial School, 1823; the Girls' Industrial Home, in Sloane Street; the Home of Discipline, at Chelsea.

trates ; and the schools are to be inspected and certified by them as fit and proper for the purpose, before children can be sent there. If at any time their condition be unsatisfactory, the certificate may be withdrawn, and they then cease to be certified reformatory schools in the proper sense of the word. The county, or borough, is likewise authorised to levy a rate to contribute to the support of the institution.

But one of the most important provisions of the new Act is that by which the parents are compelled to pay whatever is ordered by the Bench towards the expense of the child while he is in the school ; for this protects society from a new and serious danger—namely, that the poor might be tempted to abandon their children, or train them in crime, with the express purpose of having them kept and educated for several years at the public expense, and thus escape the trouble and cost of bringing them up. To this may, perhaps, be attributed the fact that reformatories for juvenile offenders have not had, in England, the effect of encouraging vagrancy and delinquency, as they unfortunately appear to have done in France. The system adopted at Mettray is, in itself, almost as perfect as any human system can be, and the results, as regards its inmates, are satisfactory in the extreme ; yet since the foundation of that admirable establishment, and the penitentiaries to which it has served as a model, the number of young thieves has decidedly increased. May not this arise from the absence of any legal enactment by which the parent can be compelled to pay a just portion of the expenses incurred by the child during his detention ? It is evident that the delinquency by which children become the subjects of penal or reformatory discipline, ought not to exempt parents from the duty and liability of maintaining them,

or, at least, aiding in maintaining them to the utmost of their power : to permit this would be to offer a premium to parental neglect and misconduct, to which the offences of the children are, in most cases, to be attributed. One thing is certain, that in England juvenile crime has diminished. For many years prior to 1856, when the Reformatory Act first came into operation, the *number* of children annually convicted, under the age of sixteen, had been steadily rising, till it had reached the incredible amount of 14,000. According to the last report of the inspector, the Rev. S. Turner, for the present year (1858), that number has fallen to 8,952. Within the last twelve months, indeed, another institution has been doing good work in arresting the supply of young offenders—viz., the industrial certified schools, to which children on the high road to crime, but not yet actually convicted at the bar of justice, may be sent, under a magistrate's warrant, without having incurred the stigma of a gaol. The Industrial School Act was passed August 17th, 1857. By this enactment the police are enjoined to take up any children found begging, or wandering about without a home, or the visible means of subsistence ; and the magistrates are authorised to send them to a certified industrial school, and, as in the case of a reformatory, the parents are to be compelled to contribute to their maintenance.\*

Still, objections to both reformatory and industrial schools are not wanting. It is urged, as in France, that they encourage vagrancy, enervate public morality, and, worst of all, inflict an actual injustice on the honest, hard-working poor, by affording the offspring of vice and sin advantages which the children of the upright, industrious labourer can never enjoy. It would be better,

\* It must be confessed, however, that, as yet, the sums contributed by the parents are so small as scarcely to deserve mention.



it is observed, if benevolent persons would devote their attention to preventive measures, and abandon young offenders to the salutary rigour of the law.

These arguments are of no common weight, and cannot be too carefully considered; but, on the other hand, it must be remembered that every institution which preserves the children of the respectable lower classes from moral contagion must be reckoned not only as among the most efficacious methods of narrowing the circle of crime, but as a positive benefit to those classes themselves.

As to the charge of encouraging juvenile offenders, that is triumphantly refuted by statistics. We have already noticed the marked decline which, according to the Rev. S. Turner's report, can be traced during the last three years. In the words of the report, "the population at large has steadily augmented, and the number of commitments of older criminals decidedly increased. It is but fair, therefore, to attribute the diminution in juvenile delinquency to the agency of reformatory and industrial schools."

Aberdeen does not stand alone in the decrease of her young culprits. At Cheltenham, from the month of July to September, 1856, eighteen children were brought before the county magistrates; during the three months following, the number was reduced to six. In the first quarter of 1856 there were but five; in the subsequent quarter, three; and from July to September, *one* only. The reformatory school in the same town has forty-nine inmates; and in the whole county there is not, at this moment (September, 1858), a single child in the gaol.

The Norfolk reformatory school was opened in the summer of 1855; during the winter of that year sixty-nine children were brought to the bar; in the ensuing

winter there were thirty-four only; and the following year the police-superintendent declared that, so far as juvenile delinquents were concerned, his duty was a sinecure.

The two enactments above named are in themselves sufficient proof that the cause of reformatories is gained; for in England the Parliament is only the exponent—the instrument—of the majority of the nation. In fact, it is not the Parliament which conducts the affairs of Great Britain, it is public opinion; it is the country itself which agitates all questions, social and political, in its meetings and its thousand daily organs, the press. The Government and the Parliament never dream of discussing or passing a measure till, in point of fact, it has already been decreed by the majority, after long and repeated debates. The English laws are the work of a people which governs itself, and which is led, by its aptitudes and its tastes, to examine into its own affairs, whether they be those of the parish, the county, the kingdom, or the whole world.

Herein consists the great difference between the French and English; and, unless the balance of power should be disturbed by some unforeseen events, this will ensure the duration of institutions in England, which we in France have vainly sought to adopt as our own.

While the Legislature was busy in passing Acts recognising the principles and regulating the machinery of the establishments destined for the education of destitute and perishing children, the Educational Conference, an association consisting of some of the most eminent men in the United Kingdom, met in London, "to inquire into the fact of the alleged early removal of children of the working classes by their parents from schools, in the agricultural, manufacturing, and mining districts;" the

causes of this removal; and to consider the expedients proposed for retaining them for a longer period, as it appeared that during the last eight years the time during which they remained under tuition had been gradually decreasing.\* 2,861,848 received no instruction whatever. Of the 2,046,848 who did attend school, not more than 600,000 were above the age of nine years; 1,500,000 remained only two years. Of the rest, the greater part were employed, as soon as they could stand, in the factories or in the fields; while many were sent out to beg, or lived by pilfering.

On the other hand, it was urged that the wages of the parents were often inadequate to the maintenance of the family; and that they could scarcely be expected to leave their children at school, when their labour would aid so materially in the support of the humble household.

After an earnest and prolonged discussion, resolutions were passed, to the effect that every effort should be made to bring home to the minds of the parents the sacred duty of exerting themselves for their children's education, and to enlist in the cause of progress the co-operation of employers of labour, and of trustees of apprenticeship funds; that a half-yearly distribution of prizes, in the shape of money and tools, should be recommended, as an incentive to a more regular and longer attendance; and that, in addition, an industrial training, and lessons in practical agriculture, should be afforded to those who might think fit to profit by them. This new species of education is now adopted in several parishes, and it is evidently the end to which all the primary schools of Great Britain will ultimately direct their efforts. It is clear that the instruction given in such schools should

\* See "Report of the Educational Congress," held at London, June, 1857.

have a practical bearing on the trades in which the greater part of the children will hereafter be engaged.

Measures of compulsory national education, as in Germany and Switzerland, have been more than once proposed, but the suggestion has always been rejected, from the innate aversion of the British nation to anything like interference in its private affairs; and, indeed, the marked difference in opinion, as to the nature of the religious instruction to be imparted, renders such a scheme all but impracticable.

On the whole, it is probable that the voluntary system is the only one fitted to the peculiar genius of the people; and there is little doubt that, sooner or later, a more efficient and more widely-diffused scheme of popular education will be arrived at, despite the difficulties with which this plan, like so many others, is beset, from the imperfect nature of the centralisation.\*

A principle bearing within itself the germ of most important amelioration in the future, has been recognised and consecrated by the English Legislature; and this principle is now in process of application throughout the greater part of the United Kingdom. Society adopts the child who, by circumstances over which it has no control, viz., those of its birth, and the neglect of its natural protectors, is left without education, and without resource. Civilisation thus repairs the evils which it brings in its train, or to which it is inevitably exposed by human infirmity and imperfection. Of an army of malefactors and enemies, England is now seeking to make a nursery of labourers, artisans, soldiers, and sailors, who will augment the defensive and productive forces of the mother-country, and go forth to increase the population of her colonies, or

\* See "Report of the Educational Congress," at Birmingham, June, 1857. (Page 14.)

found new ones on far distant shores. In fulfilling the great duty of charity, the industrial and reformatory schools are, in fact, providing against the dangers to which, of all others, the safety and prosperity of Great Britain are most exposed—viz., those arising from the superabundance of her population. In qualifying the masses, who, at a later period, will no longer find room on her over-crowded soil for the duties and business of social life, England at once regulates her movement of expansion, and renders that movement profitable, while she enlarges and secures the prospects of the future.

While the Legislature was thus doing its utmost to improve the condition of the friendless and perishing children, individual benevolence was not idle. In many of the great towns of England exist a class of boys and girls whom no system of education then in force appeared to reach. It was estimated that in London alone the number amounted to 40,000 or 50,000, and the returns throughout the United Kingdom showed the vast extent of the evil. The greater part consisted of the offspring of vagrant and dissolute parents, out-door paupers, costermongers, and persons in similar trades. They gained a precarious livelihood by begging, selling watercresses, pilfering, and picking pockets, and too often ended their career in the gaol or the hulks. In 1838, Lord Shaftesbury had founded, in the metropolis, a Sunday evening school, designed for the very lowest and most wretched of the juvenile population, to which he gave the appropriate name of "ragged school." At the commencement, such numbers of the young outcasts of London, attracted by the novelty of the thing, flocked thither, that it was decided it should be opened daily, and that night classes should also be held. A more undisciplined, ruffianly set of pupils than those who attended the latter were cer-

tainly never before assembled. If anything the master said displeased them, they would jump up in a body, and set up a hooting and yelling absolutely deafening. Sometimes they would engage in a regular pitched battle, and cases have occurred in which they have assaulted the master, knocked him down (without doing him much harm, it is true), and sat over him, singing, "Pop goes the Weasel." Still the benevolent founders persevered.

After a while the greater part of these rough, ungovernable natures yielded to the influence of mingled kindness, firmness, and superior intellect, brought to bear on them for the first time, and a decided improvement in that class of the juvenile population to which they belonged was the result. Thus at Bristol, when the ragged school was first established, in 1846, the number of young delinquents apprehended in the central district was 290; since then it has been gradually declining, and for the two last years (1857 and 1858) it has not exceeded 136. Nay, the character of that part of the town where the school stands is changed.\* It is as poor as ever, but it is no longer the resort of thieves and prostitutes, as it was ten years ago. The same effects are apparent, more or less, wherever ragged schools have been founded. The evening classes are especially adapted to the wants of a population where thousands of children gain their bread by means unknown in any other land, and where numbers of adults, who have not a moment to spare during the day, are still able and willing to devote a portion of their evenings to self-improvement. Many

\* In 1849 it appears twenty children attending the ragged school in Bristol were in prison; in 1850, nine; in 1854, one; and since then, up to the present moment, September, 1858, there have been none.

of the night pupils belong to the thoroughly vagrant class—to that which furnishes the largest contingent of criminals; some have been already, and more than once, in the grasp of the law. It was at first feared, and not without reason, that these deeply perverted natures might exert a fatal influence over their less depraved companions. This fear has not been realised, owing, doubtless, to the careful supervision exercised, and the power soon acquired by the masters over the minds of their strange pupils.

The amount of knowledge imparted or acquired in the night schools is, indeed; small, the boys remaining two hours only; the few whose attendance is pretty regular, however, contrive to learn to read and write very tolerably. But secular instruction is not the chief aim of the ragged school directors. Their object is to raise the moral standard of these unfortunate beings; to instil habits of order, discipline, and cleanliness; to imbue them with some religious principles, of which most of them are as ignorant as the savages of New Zealand. Great care is taken to separate the day and night schools. In the former, though as a rule no food is given, yet in winter the children are permitted to purchase soup and bread at a nominal price—one halfpenny a basin. Indeed, at all seasons, it is found absolutely necessary occasionally to distribute bread, for many of the children arrive without having tasted a morsel of food since the previous day.

The success of their endeavours stimulated the founders of the ragged school. These institutions became the object of general interest. Their importance was acknowledged—even overrated. A special journal was devoted to the subject.

- Two vast associations, the "Reformatory and Refuge

Union" and the "National Reformatory," were founded by some of the most eminent men in the country, to assist in the creation of these establishments. At the present moment (September, 1858), the number of institutions in London, dependent on the Ragged School Union, amounts to 166—namely, 16 refuges and 150 ragged schools. There are 330 paid masters; 2,139 give their services gratuitously, for in England there are always numbers of persons of both sexes who gladly accept the duty of attending the schools for the poor, and teaching several times a week, without remuneration.

In some of the ragged schools industrial training to a limited degree—such as tailoring, box-making, and cutting wood, for the boys, sewing and knitting for the girls—is introduced; and in a few, food and clothing are regularly given, but the practice is not general. In order to confine the school to that class for which it is designed, every effort is made to induce those who can afford it to place their children in National or British Schools, and often with success. Employment is procured for such children as are fitted for it, and last year it is stated that 1,500 were placed out, and above 900 received prizes bestowed on those who keep their situations six months.

Besides these various establishments, there are sixteen others in London connected with the Field Lane Ragged School, thus designated from the quarter in which it exercises its benevolent influence. Faithful to its original mission, it has not ceased to seek recruits in the most noisome streets and alleys of the metropolis. At the present moment the noble institution of Field Lane comprises a day school for the children of both sexes, evening classes for adults and young apprentices, indus-



trial classes for boys, a class for married women, or "mothers' meeting," a workshop, a refuge, which last year (1857) received 55,000 persons, and distributed 56,612 loaves of bread. Bible-lessons are given in the evening, which frequently attract 300 or 400 auditors. The same institution has established a savings bank, which receives penny deposits, and finally has opened a church for the poorest class of the community, and called it a ragged church.

There is no civilised country in the world, except perhaps Italy, where so many rags are seen as in England, that land of boundless wealth and splendour. Many artisans well to do are in tatters, simply because neither they nor their wives know how to set a stitch. But these same men, who are not ashamed of their wretched plight in the public street, where they think they will not be noticed, shrink from exhibiting themselves where they might possibly attract attention; and this feeling of self-respect, so natural to the human mind, often makes them sacrifice the benefit of religious instruction. Hence the necessity of churches for this peculiar congregation; and these churches, singular as it may appear, retain as a means of attraction an appellative to which, generally speaking, they can no longer lay any just claim. The same may, to a certain degree, be said of the ragged schools. We have seen many without a single rag, though the observation does not by any means always hold good; nor perhaps is it in all respects desirable that it should. Extreme neatness in the appearance of the children, with the exception of those who have attended the school for a considerable period, is rather an indication that they are above the class for whom it was specially intended.

It might be supposed that Government is too deeply

interested in the welfare of these schools not to afford them the same aid they extend to reformatories and industrials; for if they do not, like the infant schools which exist in every commune in France, strike at the root of the evil by taking the child while still uncontaminated, they evidently do much to reclaim and civilise him, and thus prevent him from becoming a vagrant or a thief, for it is from this class of children that criminals mainly spring. Looking to financial motives only, it would seem expedient to afford some further aid, for 10s. or 15s. per head per annum is all that is demanded from Government, while in the certified industrial and reformatory schools it costs the country 5s. per head per week. Under the minute of 1856, 10s. per head was granted to those ragged schools where industrial training was introduced, but in 1857 the grant was limited to such as had certified masters, and as, from various causes, it is not always possible to comply with this condition, the Government aid afforded to these schools is in many cases little more than nominal.

The education of female children of the lower orders also greatly occupied public attention in England, for it is universally felt and acknowledged how much that education has been neglected. The wife of the English labourer or peasant is, generally speaking, an excellent manager. The little cottage in a Gloucestershire or Devonshire valley, with the jessamine and clematis clustering over the window, with its snowy curtains, neat carpet, well-scrubbed table, and household utensils as bright as gold, gives the peasant's home a degree of comfort he would vainly seek elsewhere, and draws him back to his own fireside, endeared by the affection of his active, industrious wife, and the caresses of his rosy children. If at the close of his day's work in summer he leaves them for a while, it is only to cultivate his little garden, where he rears

flowers which dispute the prize with those of the peer, his neighbour, at the next horticultural show.

But in the great centres of population, above all in the manufacturing towns, the home of the artisan is widely different. A disorderly room, a dirty table, a badly-cooked meal, ragged and undisciplined children, a wife exhausted by the fatigues of a day at the factory, and at all times ignorant of the simplest household duties—this is what awaits him on his return from his labours. What is the consequence? Why, he leaves this miserable den as quickly as possible, and seeks warmth and comfort in the only place where he can find them—the tavern, where he gets drunk with other discontented husbands, and returns home to ill-treat his wife and children. Bills have been more than once presented to the House of Commons, proposing to punish the brutal conduct, which is the disgrace of the working classes in England, with the lash. This might not be inexpedient in certain cases; but a better system of education for both sexes, for the women especially, would be a far surer preventive. An excellent example may be found in the parish of Sandbach, in the county of Cheshire; there all the young girls are taught to cook, to wash, and to make their own clothes. The public washhouse, the hospitals, and the schools, serve as workshops, where they go through the apprenticeship of every description of domestic labour. All this is so easy of execution, that it seems astonishing no one ever suggested it before; but we well know that while the human mind loses itself in realms of empty speculation, and exhausts its powers in vain efforts to attain the unattainable, it requires centuries to bring the most simple ideas into practical operation.

At the present day, however, industrial and domestic instruction are pretty generally introduced into English

workhouses for children of both sexes. For some years past unions of parishes have been formed, for the better administration of the Poor Laws, and this arrangement has afforded the means of teaching the boys a trade; so that when they leave the union they are, generally speaking, able to gain an honest livelihood. Each child costs about £14 per annum, a quarter of which is defrayed by the State.

If the example given by the certified schools has succeeded in introducing industrial training into the workhouse, it seems impossible but that similar advantages should be opened to those children attending schools which are *not* gratuitous. To secure the young vagrant daily food, and a good education, while the offspring of honest parents must content themselves with the very inferior instruction afforded by primary schools, would be evidently an encouragement to idleness and vice. The popular schools of Great Britain must become workshops for apprentices. The result will be an agglomeration of artisans in the towns, and this will necessitate a modification of the system of education generally adopted. It would be well if a considerable portion of these institutions were replaced by agricultural schools, similar to those already existing in some parts of the country.\* The metropolis has too many artisans, and the colonies are in need of agricultural labourers. The sense of this want evinces itself in the lively interest displayed by the English public in the establishment of Mettray. There are many who take a journey to France for the sole purpose of visiting it, and there are few names more popular on this side of the Channel than those of Demetz and De Courteilles.

Fully to understand the importance which the en-

\* In Norfolk, for instance.

lightened classes in England must attach to the establishment of reformatories and industrial schools, to induce them to contribute so largely to their support, we must remember that they had already at their charge, at least to a considerable degree, the national schools (those of the Anglican Church), the British schools (those of the Dissenters), the factory schools, which it is now compulsory on the owners of manufactories to provide for the children in their employ, the parochial schools, under the superintendence of the clergy, &c.; without enumerating the hospitals, refuges, and asylums, for every description of misery or disease which suffering humanity is heir to; and finally, the reformatories for adults, and other establishments, of which we shall speak hereafter. Yet the aristocracy, the gentry, and the middle classes, do not hesitate, as we see, to add the expenses of the ragged, the industrial, the agricultural, and the reformatory schools to those they have already imposed on themselves; thus forming an enormous network, which apparently leaves scarcely one poor child beyond the reach of the combined action of public assistance and private charity.

But unhappily, from whatever causes, the result is not as fully commensurate with the efforts made to obtain it as might have been anticipated. The number of juvenile criminals is, as we have seen, greatly reduced. This is an immense benefit, but the streets and alleys of the metropolis, and of many manufacturing towns, still swarm with children—ragged, barefoot, and dirty—uncontrolled by parent or guardian, and preferring this mode of life, with all its hardships, to the restraint of a school and the irksomeness of regular employment.

The neglect of which the children of the poor are the victims is not the only source of crime which English society is endeavouring to combat. It has to direct its

efforts against other influences not less baneful, among which the national vice of intemperance holds the foremost rank. Statistics ascribe nine-tenths of crime in England to drunkenness, and years of prosperity are precisely those in which the greatest number of offences are committed, because high wages unfortunately afford the ignorant and uneducated larger means for the indulgence of their ruling passion—the love of drink.\*

This fatal habit soon plunges the drunkard into poverty, by relaxing his industry, paralysing his powers, absorbing a considerable portion of the wages necessary for the support of his family, developing, in short, every evil propensity, destroying all the better instincts of his nature, and rendering him deaf to the voice of duty, affection, and conscience. It is calculated that the duty on spirits must produce at least £20,000,000 per annum to compensate for the losses of all descriptions entailed by the abuse of spirituous liquors.†

Struck with these terrible facts, Mr. Hill, the eminent Recorder of Birmingham, in his addresses to the grand jury, does not hesitate to propose the prohibition of all fermented liquors, without even the exception of beer; but, to obtain this prohibition, he addresses himself, not to the Government, but to the nation itself—the majority

\* During the four ordinary years ending June, 1821, the annual average of committals to the Preston sessions was 119; the prosperous year, 1825, produced 177; the following year of distress, 172; and the year of reviving prosperity, ending July, 1847, no less than 269. —(*Effects of Good or Bad Times on Committals to Prison. By J. Clay. 1852.*)

† In the official returns of 1846, no less than 15,200 persons were brought before the magistrates from Liverpool, Manchester, Salford, Preston, and Wigan, charged with drunkenness, and upwards of 1,000 more with assaults and breaches of the peace, and in almost every case drunkenness was the exciting cause.

of the nation. The learned recorder has come to the conclusion that it will be impossible to suppress the abuse so long as the practice itself exists, or, in fact, that in this case the use and abuse are inseparable from each other. Would this prohibition be in accordance with the constitution? Can the public interest authorise the majority of the nation in interfering in the private life of their fellow-subjects to such an extent as to forbid a practice which, to the greater part of mankind, is attended with no evil result whatever? Mr. Hill replies in the affirmative. He maintains that the majority *do* possess the right of imposing certain limits on the personal liberty of the minority, because, as the Poor Law compels all those who obtain an independent livelihood by their own labour to support those who *cannot*, or *will* not, support themselves, the former have decidedly the right to resort to such measures as may tend to diminish the burden imposed upon them. It is probable, nevertheless, that neither wine merchant, publican, nor brewer, in the present generation, will live to see the abolition of this branch of trade. Indeed, in this Mr. Hill fully coincides. He acknowledges that to make the action of a prohibitive law, interfering with the daily affairs of private life, work well, or even tolerably, presents enormous difficulties. But he does not regard these difficulties as insuperable; and he urges that, considering the immense importance of the object in view, it is worth while at least to make the attempt. Nor is this language the expression of an individual opinion. Mr. Hill in this is but the interpreter of a widely-spread belief, the propaganda of which has become the object of one of those pacific agitations which in England have so often achieved the ultimate triumph of principles and projects, at first regarded as inadmissible or impracticable. A vast association has

been founded within the last two years, under the title of the United Kingdom Alliance, the National Temperance League, with the purpose of effecting this great reform. Presided over by Sir Walter Trevelyan, this society has thirty-three vice-presidents, an executive committee composed of twenty-one members, and a great number of agents in almost every part of the United Kingdom. Among its adherents it includes a portion of the ministers of the various religious communities, and all the members of the old temperance societies. Its principal seat is at Manchester. It publishes a daily journal, with the aim of obtaining a legislative enactment for the total and immediate suppression of all traffic in fermented liquors.\*

These demands go far beyond the hopes or wishes of the learned Recorder of Birmingham, who, on the contrary, deprecates everything like undue precipitation ; and declares, with equal truth and good sense, that, to be efficient, all schemes for achieving this great end must be founded on the wishes of a large majority of the population.

In a country governed by a constitutional monarchy,

\* In a notice of the *Daily News* on this very article, October, 1858, the writer, while eulogising the range and accuracy of its knowledge, the liberal and kindly spirit which prevails throughout, conceives that, in his account of the temperance movement, the author has been led into serious misconceptions as to its importance. The proceedings of the United Kingdom Alliance, just published (November 20, 1865), with an abstract of the annual report, proves that the national value which the author attaches to the teetotal movement in England is not quite so exaggerated as the friendly critic in the *Daily News* would lead us to suppose. In view of the growing demands of the movement, both in and out of Parliament, the Alliance General Council has resolved, to aid the executive, to raise five years' guarantee fund of £250,000. Subscriptions have been already contributed to the amount of £40,000.



it is only after long debate that the majority succeeds in imposing its will on the minority. In a republic, on the contrary, the majority admits of no reply, and settles the question at issue with very little heed to the liberty of the individual. Thus, while a considerable party in England has in vain attempted to obtain legislative enactments for the total suppression of drunkenness, a law precisely similar to that desired by these reformers has already been put in force in several States of North America. In the United States the abuse of beer and alcohol produce still more frightful evils than in Great Britain, and there are few families who have not to deplore the fate of some victim to intemperance. In 1851, on the proposal of an influential citizen, Mr. Neal Dow, the State of Maine enacted a law prohibiting all traffic in intoxicating liquors, under a penalty of five dollars for the first offence, ten for the second, and ten, with a month's imprisonment, for the third. In January, 1857, this measure was adopted in the States of Massachusetts, Rhode Island, Vermont, Michigan, Connecticut, Delaware, and New Hampshire. At the same period it was enacted in five other States that fermented liquors should be sold wholesale only. At the present moment (September, 1858) these laws are in operation in the States above mentioned, though they are often eluded in the cities; and, however incomplete their execution, we are assured they have already diminished by one-half the number of accidents, suicides, and crimes.\* At New York, indeed, the law has been voted unconstitutional, on purely technical and legal grounds; but during the

\* The statistics exhibiting the remarkable effects of the law in securing the diminution of crime and pauperism, easily induced me to waive my scruples.—*Letter from Dr. Hone, an American physician at Boston.*

six months it was in operation it was acknowledged, even by its opponents, that its effects were of the most beneficial character.

What will be the final result of the agitation of the teetotalers in England? They may, perhaps, succeed in diminishing among the working classes what Montesquieu calls the national vice of drunkenness, as the progress of civilisation has already suppressed it to a considerable degree among the higher orders. But it is not to be expected that the inhabitants of Great Britain will ever content themselves with tea and coffee, like the Persians or the Arabs. Each climate has its own peculiar necessities, and this reformers must bear in mind, if they wish their efforts to be crowned with success. Surely there is an essential difference between beverages absolutely pernicious—such as spirits, for instance—and those harmless and even salutary in themselves, and dangerous only when abused. The inhabitants of a damp climate cannot entirely dispense with fermented liquors, such as wine and beer, nor is it probable that they would submit to the prohibition; but a measure might perhaps be adopted similar to that enacted in several States of America, enforcing or authorising each parish to enforce the closing of a certain per-centage of the public-houses, which are in the proportion of 21 per cent. to the habitations.\* A petition to this effect was presented to Lord Palmerston, during his last ministry, by a numerous deputation.

As to alcohol, the habitual use of which is never necessary, except perhaps to the crews of vessels on the high seas, or troops in active service, and which in

\* In Birmingham alone, to a population of 232,841, there are 1,500 public-houses, 308 taverns, 321 gin-shops, and 871 beer-houses.—1859,

ordinary cases is almost always pernicious, we see no reason why the traffic should not be restricted to a certain degree, like the sale of poisons. The mischief it inflicts on life and health is of far more frequent occurrence, and very nearly as deadly. It is calculated that at the very lowest estimate, the cost of stimulants—viz., alcoholic drinks and tobacco—in England is upwards of £50,000,000 per annum; nay, some authorities estimate it as little short of £100,000,000; and this, as the learned recorder truly says, not to purchase strength and prosperity, but to lay up a store of disease, debility, and pauperism. The English, as a rule, are ready to submit to every sacrifice demanded by the general welfare; but this special reform would attack a passion so inveterate, so deeply rooted, that it will probably be long ere this self-governing people will set so good an example to the rest of Europe.

One of the causes which most actively contribute to the depravity of the poorer classes in Great Britain is the insufficiency and unhealthiness of their dwellings. In every town of any importance there have existed for centuries dens unfit for human habitation, and yet crowded with men, women, and children, reduced to the very lowest degree of filth and misery. Our readers will remember the picture drawn by the pen of a French political economist\* of these living charnel-houses, of these *rookeries*, as they are called in London; nor was that picture exaggerated, for even at the present moment in all the great centres of population—London especially, in the quarters of Kensington, St. Giles's, Whitechapel, and Wapping, in the very heart of that city, the emporium of the wealth of the known world, close to the palace of England's Queen, under the very walls of

\* M. Léon Faucher.

Westminster Hall, the seat of the Legislature—are human beings, more particularly Irish, heaped one upon another, as on a dunghill, devoured by vermin, fever, and hunger. In this condition, far worse than that of domestic animals, how can the sense of morality be expected to exist? The heavy, poisonous atmosphere keeps up a craving for strong drinks, and habitual intemperance completes the degradation of these wretched beings, whose race is perpetuated only by the most hideous profligacy. Is it wonderful that murder and robbery should be of daily occurrence in these pandemoniums, the aspect of which can be compared only to that of the prisons of China? It is not more than twenty-four years that public attention has been really directed to the condition of the dwellings of the poorer classes. Dr. Southwood Smith, in the course of those inquiries which led to the production of his valuable work on fever, was roused to a sense of the imperative necessity of striking at the root of the evil, not only in the interest of its immediate victims, but in that of the population at large. At the same period, Mr. Edwin Chadwick, secretary to the Poor-Law Commission, while investigating the causes of pauperism, was impressed with the conviction that one of the most fertile was the disease and general low state of health generated by the insalubrity of the habitations of the working class. Thus the physician and the administrator, viewing the subject from two opposite directions, met on the same ground, and arrived at the same conclusions. It was evident that overcrowded rooms, bad ventilation, and worse drainage, had brought about a permanent pestilence in many of the courts, alleys, and miserable streets of London; and this morbid condition, aggravated by habits of intemperance, which are the inevitable result,

was gradually undermining the powers of mind and body of a considerable portion of the labouring population. Dr. Smith and Mr. Chadwick unite in throwing the blame of this state of things on society in general. And, indeed, if the rich man so often finds himself without adequate means of compelling his neighbours to take the precautions necessary to ensure the sanitary condition of his dwelling, is it not evident that the poor man must be still more completely the helpless victim of public neglect? In addition to this, he is exposed to private cupidity, for, even if the municipal authorities have improved the drainage of his street or alley, this improvement may be rendered completely nugatory by the bad construction of his miserable dwelling.

These revelations excited no little consternation in the enlightened portion of the nation; but it must be confessed that public opinion did not take up the question with the ardour it has so often displayed on matters of far less vital importance. Not a meeting was held, no agitation was excited, no special journal was founded; nor was it until the year 1851, by the strenuous efforts of the Earl of Shaftesbury, that the Common Lodging-house Act was passed, empowering the local authorities to remove the causes of the frequent disease resulting from the neglect of sanitary measures in the dwellings of the poor.\* Another Act of the same year, the Labouring Classes' Lodging-house Act, authorises the municipal corporations to contract loans, to build new lodging-houses, and to improve those already constructed. This last measure, however, does not seem as yet to have been brought into active operation. The authorities charged with carrying it into execution are unwilling to increase

\* The Public Health Act of 1848, however, must not be forgotten.

the burden which already weighs so heavily on the rate-payers, and although it is evident that ultimately the sanitary improvement of the towns of Great Britain could not fail to diminish the poor-rate, it must naturally commence by augmenting it. The practical sense of the English nation seems here for once to be at fault, despite the terrible warning conveyed by the cholera.

The Common Lodging-house Act led to the creation of the Metropolitan Association,\* founded by two royal charters, limiting the responsibility of each shareholder to the amount of his own shares, but at the same time restricting his possibility of profit to five per cent. on the capital expended. It is to be regretted that the Crown did not evince greater liberality towards this valuable society. The cost of the two charters granted to an undertaking so intimately connected with the public welfare, amounted to the exorbitant sum of £1,430 sterling. This is rather a high rate of duty for that valuable article, benevolence. According to one of these charters, branch institutions may be founded in any part of England and Wales, with the same privileges of limited liability; the parent society receiving a gratuity of one-half per cent. on the first outlay, and another half per cent. from year to year, as a compensation for the enjoyment of the charter, and the facilities it procures for these affiliated bodies. Four branches have been already founded, one at Brighton, which has been in successful operation for some years; another at Dudley.

As a financial speculation, the investment is not a very brilliant one; but this is a secondary consideration, and the returns will probably augment as the class whom it

\* The Metropolitan Association for Improving the Dwellings of the Industrious Poor; this was followed by the Society for Improving the Condition of the Labouring Classes.

is the aim of the society to benefit becomes better acquainted with the advantages offered them.

What, then, are the definite results of the Common Lodging-house Act to the labouring population, to whom the measure is specially applicable? They are so favourable that it is difficult to understand why the Act has not been brought into general operation. According to the report of Dr. S. Smith, the rate of mortality in the houses built in London by the Metropolitan Association is only 7 in 1,000, while the ordinary rate is at least threefold, that is to say, 21 in 1,000; nay, in the parish of Kensington (which, it must be confessed, is one of the worst in London), the mortality rises to 40 per 1,000. In October, 1843, the London police stated that there were no less than 7,055 common lodging-houses in the metropolis; that the keepers of these houses were now served with notices to register the number of their lodgers, in conformity with the Act of 1851; that only 603 among them had obeyed the order; yet, during the quarter following, a visible improvement was manifest in the health of the inmates: for, although numbering during that period no less than 25,000 lodgers, not a single case of fever had occurred; while, previously to the Act coming into operation, twenty were sent to the Fever Hospital from one house in a single week. Cholera and typhus have likewise disappeared from the new lodging-houses; while in the autumn of 1854 there were twenty victims of these epidemics in one street of the capital, and six in a single house. Nor have the sanitary statistics been less satisfactory in other towns; at Wigan, for instance, where there were twenty-four lodging-houses, through which 30,800 individuals passed per annum; at Wolverhampton, where there are 200, which received the incredible number of 511,000 hawkers, tramps, or labourers, in one twelvemonth, the police

have not had to report a single case of fever. From this fact, it is evident that there are less infectious diseases in the common lodging-houses, under the supervision of the police, than in the ordinary abodes of the working classes not subjected to this supervision. The moral effect of these hygienic measures is not less important than the physical. Dr. Southwood Smith calls attention to the happy change produced in the manners, habits, and characters of their occupants by the sanitary improvements of the dwellings. The air, no longer vitiated by filth and impurities, has ceased to excite that constant craving for stimulants which infallibly leads to drunkenness and its attendant crimes; for when that passion is not inveterate, it disappears with the causes which gave rise to it. One amendment has led to another. Self-respect accompanies sobriety, and, with restored health, a taste for a certain degree of comfort is generally elicited. A table, a couple of chairs, a little piece of carpet, are desired and purchased one by one. With increased cleanliness, a few ornaments are introduced into the humble room, and, in a word, the whole moral being of the inmates becomes improved and elevated. Who can explain the mysterious affinities of the human soul? Who can say what sudden revelations of a brighter world the man who has been toiling twelve long hours in the darkness of the mine may find in the ray of sunshine that caresses his lowly bed, or the perfume of the flower that has blossomed beneath his fostering care on the sill of his little window?

Undoubtedly, there is always a tendency to exaggerate the effects of every new panacea, whether physical or moral. We must not expect that improved drainage or ventilation will bring a golden age upon the earth; but police reports are not liable to the suspicion of enthu-



siasm, and in 1854 it was proved, by these very reports, that since the amelioration of a certain number of these wretched dwellings, no serious charge, no complaint even of disorderly conduct, had been brought against a single occupant at any police-station in the neighbourhood. In the classes frequenting the common lodging-houses, the change is still more striking. Not only has crime disappeared with infection and pestilence, but vice and immorality have diminished to an extraordinary degree. "The intemperate," says Dr. Smith, "have become sober since taking up their abode in these healthful dwellings." Still, it is only fair to add, that a part of this amelioration may be attributed to the change in the class of lodgers.

How is it that in a country where the public welfare is an object of general attention, where such a union of strength, wealth, and intelligence is ever ready to carry out any improvement, so many hotbeds of moral pestilence and physical infection should be suffered to exist? For, despite all the reforms we have cited, there are still numerous parts, both of the metropolis and of other great centres of population, in the most miserable condition; where the drainage is insufficient, and a great portion of the houses inhabited by the labouring classes, not only in an unwholesome, but in a filthy state, old, dirty, ill constructed, and badly ventilated. This deplorable anomaly must be attributed to two causes—to an exaggerated respect for individual rights, and to the negligence of the municipal authorities. When opening new streets, and replacing the old, narrow, unhealthy quarters by wide thoroughfares and handsome buildings, no care was taken to provide the poor inhabitants thus summarily ejected with other homes to shelter them. Of course, they were forced to huddle together in the houses still left standing in the thickly crowded parts of Marylebone, St. Pancras,

&c. The incomplete application of the Lodging-house Act produces other pernicious results. By diminishing the number of lodgers in those houses, which are duly registered, it has a tendency to drive the poor in greater numbers to those which registration has not yet reached ; either because they are not within the provisions of the Act, or because the proprietors have not fulfilled the legal requisitions. It is evident, then, that unless more stringent enactments are made to compel the registration of every lodging-house in London, and a considerable addition of house-room provided, the Act of 1851 can produce but very partial advantages to the labouring classes, since every improvement must be purchased at the price of the still further overcrowding of the miserable dwellings belonging to the class below those benefited by the operation of the new law.

There is one fact worthy of observation. It is precisely the poorest inhabitants of the great cities in England who pay the dearest for every breath of air they inhale, or every foot of ground they occupy. The rents of Tyburnia and Belgravia are proportionably moderate, as compared with those of St. Giles's and Whitechapel. We repeat, unless a vast increase of house-room for the lower classes can be obtained, and that on the commercial principle of demand and supply (for the labours of benevolent societies, however valuable, do little more than lay the first stone of the edifice), no radical change can be effected in the habits and character of the great mass of the population.\*

\* It is but just, however, to observe how much individual effort has already achieved. Messrs. Salt, the great manufacturers, have built whole towns, extending to hundreds of houses. In 1854 the well-known carriers, Messrs. Pickford, fitted up a vast lodging-house for the unmarried men in their employ.

It might be supposed that the high rents the lodging-house keepers can command would excite competition, as at first sight their business seems a very thriving one; but the habits of the inmates render the task of collecting the rents so revolting that few proprietors, save of the very lowest orders, choose to perform it in person. A considerable portion of the profits go to remunerate the keeper, and when this is deducted, the rent, properly so denominated, is but small. On the one hand, vice and intemperance consume the resources of the lodgers, and absorb those means which ought to be applied to the cost of the minimum of decency required in human habitations; while on the other, the proprietor is exposed to such peril and discomfort in collecting his rents that he is almost compelled in self-defence to raise them above their due proportion. It is evident then that Great Britain, despite the progress of which she is so justly proud, is very far from having secured to the great bulk of the people those conditions of a healthful existence, which in a rich and civilised country every member of the social body may fairly claim. When will she succeed in supplying this terrible deficiency, which, perhaps, does not occupy the attention either of her statesmen or philanthropists as much as it ought to do? At all events, while such misery exists on her own shores, we can scarcely understand the violent diatribes in which her writers indulge against other countries—Italy, for example—for tolerating that mendicancy, which, with all her wealth and civilisation, England is unable to suppress. Why, the beggar of the Apennines who, proudly draped in his ragged mantle, holds out his hand for charity in the Piazza del Popolo, would look like a Roman emperor by the side of the wretched being crouching every day at the corner of the best streets of the West End in the metropolis of Great Britain.

## PART II.

## PENAL REFORM.—PENTONVILLE, MILLBANK, AND THE IRISH PRISONS.

THE criminal code of England was at the commencement of this century the most sanguinary in Europe.\* Scarcely thirty years ago the theft of £5 was punished with death. Among that very people to whom we owe the institution of the jury, at a period when individual rights had been long surrounded by almost every possible guarantee, the prisoner accused of a capital crime was permitted no counsel, or rather the counsel was not allowed to speak in his defence, however incapable he might be of defending himself, and all the assistance he could obtain was advice what to say and what to leave unsaid. It was only in 1836 that the Prisoners' Counsel Bill, after the most violent discussion, passed through the two Houses and received the Royal assent. Imprisonment, as it then existed, whether before or after trial, would now seem to us to constitute in itself a hideous punishment, more especially to those not hardened in guilt. Men, women, and children were huddled together on the same fetid straw. Yet the mental and bodily condition of the convicts was less appalling than the frightful profligacy which inevitably resulted from the disgusting promiscuity already mentioned. Fever was the constant inmate of their noisome dungeons, and numbers of the unfortunate wretches escaped their sufferings only by death.

\* It was only in 1808 that Romilly carried his bill for the abolition of the punishment of death for privately stealing to the value of 5s. from the person—in other words, picking pockets.

It might have been supposed that so fearful a system of repression would have at least succeeded in striking malefactors with a salutary terror ; but, on the contrary, the number of offenders increased to such a degree that if the aim of punishment had been to effect the greatest possible amount of injury, and the least possible amount of good, both to the criminal and to society in general, it would have been difficult to invent anything more calculated to achieve that end. In vain did Oliver Goldsmith, in his "Vicar of Wakefield" (like Montesquieu in France, and Beccaria in Italy), raise his voice against these frightful abuses, and urge a more equitable distribution of punishment. The criminal continued to be subjected to treatment almost as atrocious as the crimes he had committed ; treatment which, if he survived it, served only to heighten his ferocity, while all its horrors were unavailing to prevent the increase of crime. At the present moment, on the contrary, by one of those reactions, examples of which occur in every human institution, England is precisely the country where criminals are treated with the least severity ; and if the scale of diet now adopted in the *English* prisons were introduced into France, it would be considered as a scandalous encouragement to evil-doers.\*

How has this transition from one extreme to the other been effected ? and what have hitherto been the results ? We will reply to this question by certain details, which may not be uninteresting to our readers.

The mitigation of the criminal code of Great Britain has been progressing steadily for the last forty years—ever since the time of the great and good Sir Samuel Romilly, to whose untiring exertions this mitigation is in a great measure due. The improvements in prison

\* This has been in some measure reduced. (See Appendix.)

discipline, though more lately carried into execution, were suggested at a somewhat earlier period, by a man whose life was devoted to the task; and who fell a martyr to the cause of humanity—John Howard.

The gaols of Great Britain were then in a state which in the present day seems barely credible; in fact, they were the worst in Europe. To give his innovations the sanction of experience, Howard visited all the prisons of the Continent, and penetrated into the most noisome dungeons. The more he saw the more he became convinced that terror alone was absolutely inefficient in the suppression of crime; that the surest means of attaining this end is the reformation of the offender; and that this reformation is possible only on condition of his complete separation from his fellow-criminals. These ideas, which he developed more fully in a work published in 1775, ere he sank beneath the fatal malady the seeds of which had been sown in visiting the prisons at Odessa, were at least partially endorsed by the celebrated legislator, Sir William Blackstone. In 1778 an Act of Parliament directed that the new system should be tried. The experiment was made at the Gloucester gaol, but as, naturally enough, the success was not complete or immediate, it was at once abandoned, and matters remained pretty much as before.

But a terrible epidemic, the gaol fever, soon furnished an unanswerable argument in support of the plans which had been so hastily rejected. This scourge, engendered by the filth and overcrowding of the gaols, and the unwholesome and insufficient food served out to the prisoners, made its appearance in the English criminal courts, striking down judge, jury, witnesses, and audience with one sudden and fatal blow. These terrible assizes are recorded in the history of England by the name of the Black Assizes. Then the advice of Howard was

remembered—so far, at least, as the material conditions of prisons and prisoners were concerned. The first were aired and cleaned, the second supplied with good food and decent clothing, for most of them were covered with rags and vermin. Their straw beds were renewed more frequently, and an Act was passed ordering the separation of the two sexes, and some species of classification, according to the nature of their crimes. But despite this, in 1818, of the 510 prisons in the United Kingdom there were 23 only in which these enactments had been carried into execution. In 445 the inmates were left entirely without occupation, and in 73 others the labour which was assigned to them was little more than nominal. As to their reformation, that had never been thought of, and the greater part of the gaols had not even a chaplain.

It was the Americans who first made serious essay of Howard's system, so far as they comprehended it. They constructed two cellular prisons, on different plans: one at Auburn, where the criminal was completely isolated and kept in solitary confinement during the whole of his sentence; the other at Philadelphia, where he was separated from his fellow-convicts, but frequently visited by the prison authorities, the chaplain, the schoolmaster, &c. In 1834 the English Government sent over a commission to examine the two systems and report on them, and in 1837 Lord John Russell, then Secretary of State, recommended their adoption in England. The construction of two cellular edifices was commenced, one at Reading, in the county of Berkshire, on the system of Auburn; the other at Pentonville, one of the suburbs of London, on that of Philadelphia. The number of suicides and cases of mental alienation soon proved the impossibility of applying complete solitary confinement to convicts condemned to long terms of imprisonment, and the gaol at

Reading was henceforth reserved for those whose sentences were of short duration. But the system of Philadelphia was more successful, and Pentonville seemed destined to become the model prison of England. Commenced in April, 1840, this edifice was completed in 1842. It contained accommodation for 560 inmates, and was to serve as a place of preparatory discipline for convicts sentenced to transportation. The threshold of the prison once crossed, they were supposed to have bade adieu to their past lives. Friends, relations, acquaintances were left behind. During eighteen months, the longest period assigned for cellular incarceration, the prisoners were taught some trade, by which they might gain a livelihood hereafter, for the greater part of these miserable men are utterly ignorant of any honest calling whatever. At the same time, moral and religious instruction was sedulously imparted, in the hope of leading the convicts to real penitence and reformation, and instilling those principles of honesty and industry which alone can secure them from a relapse into crime when restored to the world.

Their period of cellular imprisonment expired, those who were considered sufficiently reformed were sent to Van Diemen's Land. If they conducted themselves well there during a certain time they were provided with a ticket of leave, and thus practically set at liberty, with abundant resources before them, but with the liability of having their licence revoked, and being sentenced to still severer punishment, if they relapsed into crime. At the end of a certain number of years a free pardon was generally granted to the convict, on condition, however, that he did not return to the mother country. If his conduct did not offer sufficient guarantee for giving him conditional liberty, he received only a pass, which left but a small portion of his earnings at his disposal, and kept



him continually under the eye of the police. If considered incorrigible, he was transported to the penal settlement of Norfolk Island, to labour at the public works, not only without any remuneration whatever, but under discipline so cruelly severe as to exceed the bounds even of just retribution, and to exclude all hopes of reform. Still, on the whole, the new penal system was consonant with the ideas of the illustrious Howard. From simply deterrent it had become reformatory. It adopted the principle enunciated, perhaps for the first time, by Archbishop Whately, but developed into a system, and thus rendered capable of practical application by Captain Maconochie during the few years he was Governor of Norfolk Island, that the convict should be enabled, by work and good conduct, to abridge the term of his confinement.

The prison of Pentonville was originally intended for adults from twenty-five to thirty-five years of age, and from 1843 to 1848 the inmates of this prison were chosen with care from the mass of malefactors ; but during the latter year many were sent thither who did not belong to the category selected for this species of incarceration, and the result was numerous cases of suicide and insanity. To render this kind of probation applicable to all convicts, the period of solitary confinement was reduced first to twelve and subsequently to nine months. Notwithstanding this reduction in the commencement of 1852, a considerable number of cases of insanity presented themselves. From that period, by prolonging the exercise in the open air, and rendering it of a more active character, the proportion of such cases has been reduced to 1 in 400, and of these the greater part are quickly restored by a return to the habits of ordinary life.

That solitary confinement, without work or intercourse with one's fellow-men, is of all means the most potent for subduing the antagonistic spirit and breaking the stubborn will, must at once be admitted ; and it is often the only one that proves effectual in bringing the hardened offender to a sense of his guilt against God and man. But when the hostility to Divine and human law has been subdued, when the penal portion of the sentence has produced its effect, then another principle must step in—the principle of pity, mercy, and love. Now is the moment to seek to touch the heart of the criminal, and make him comprehend that his punishment is not inflicted from any sentiment of revenge, but to bring him to a sense of his sin, and its inevitable results here and hereafter ; to effect his reformation ; to restore him, an honest man, to the society which he had left a felon and a criminal. If the period for this change of system be overstepped,—if solitary confinement, even *with* labour, be prolonged beyond the time necessary to subdue the heart and mind, then it can lead only to the most fatal results, both morally and physically.

Even the ordinary separate system requires careful watching. But at Pentonville, when I visited it in 1857, I saw no danger of undue severity. What most struck me was the material well-being of the prisoners. It would be happy, indeed, if every honest workman, in any part of the world, could procure food as abundant and nourishing as that served out to the inmates of Pentonville, and, indeed, of all the English prisons.\*

\* Every day 4 ozs. of excellent roast meat, beef, or mutton ; 20 ozs. of the best white bread ; 1 lb. of potatoes, and a quarter of a pound of cocoa !!

The following table will give some idea of the difference in the amount of nutriment between the dietary of the convict and that of the other individuals mentioned.

	Quantity of Nitrogenous Ingredients.		Quantity of Substances free from Nitrogen.		Quantity of Mineral Matter.		Total.	
	Ozs.	Grs.	Ozs.	Grs.	Ozs.	Grs.	Ozs.	Grs.
Pentonville.....	20	88	123	54	4	09	148	51
Millbank.....	22	78	125	60	4	25	152	63
Portsmouth (average) ...	26	92	143	47	4	61	175	00
Chatham .....	26	23	145	87	4	70	176	80
Portland.....	28	95	150	06	4	68	183	69
Average of Convicts...	25	15	137	71	4	47	167	33
Workhouse.....	22	10	02	911	4	36	129	37
Lunatic Asylum .....	23	45	104	84	4	02	132	31
Average .....	22	78	103	87	4	19	130	84
Soldier .....	25	55	114	49	3	94	143	98
Sailor in the Navy .....	29	63	152	91	4	52	187	06
Compositor .....	21	24	100	83	3	12	125	19
Working Coachmaker ...	24	53	162	06	4	23	190	82
Average .....	25	24	132	57	3	95	161	76
Number in Family.								
Man, Wife, and 3 Children	45	54	360	25	11	16	416	95
Man and 4 Children .....	45	15	392	39	11	79	449	33
Man, Wife and 5 Children	74	08	586	68	18	08	678	84
Man, Wife, and 8 Children	109	60	732	89	21	32	863	81
Man, Wife, and 4 Children	48	47	381	80	12	79	443	06
Man, Wife, and 4 Children	39	47	321	34	10	79	371	60
Man, Wife, and 6 Children	52	72	391	67	13	20	457	59
Man, Wife, and 2 Children	51	22	326	62	8	07	385	91
Man, Wife, and 7 Children	106	46	789	73	24	52	920	71
Single Man.....	17	73	118	06	3	29	139	08
Average of 18 Adults } and 43 children ... }	9	69	72	16	2	21	84	06

The convicts work in their cells—which, though small, are well lighted, warmed, and ventilated—at different trades ; and if they know none on their entrance, they are taught whichever they may select. They manufacture the

coarse cloth of which the prison garb is composed, and everything for the service of the establishment that can be made within the prison walls. A gas-jet allows of their reading in the evenings—for they are supplied with instructive and even entertaining books, though chiefly of a moral and religious character. They receive daily lessons from the prison schoolmaster, together with frequent visits from the governor, chaplain, and other prison authorities.\* They attend chapel every morning, their faces covered with a mask, and are placed in pews so constructed that they cannot see each other. When the service is over, they sing in chorus, accompanied by the organ. For exercise, they walk or run four miles a day, in a wide airing-yard; even the refractory are allowed to take exercise in courts, completely separated from the rest.

Still, the experiment at Pentonville was not considered decisive. Another system, also first introduced in America, was tried at Millbank. Here 1,300 or 1,400 convicts are kept in solitary confinement during the *night*, but labour together during the day, in enormous workshops, at tailoring, shoemaking, &c., under the law of complete silence. This mixed system is scarcely less contrary to the instincts of human nature than that of prolonged solitary confinement. The lips, indeed, are closed, but the eyes are open. Mute but expressive signs are interchanged, and no punishment, however severe, can succeed in preventing this silent and dangerous intercourse.

In all the houses of correction, particularly that of Coldbath Fields, the time of the prisoners is divided between occupations more or less productive and work-

\* In his examination before the House of Commons, 1861, Captain Whitby stated that not one hour elapsed without the prisoner receiving visits from some persons or other.—*Note of Editor.*

ing on the treadmill. This is a cylinder about fifteen feet in diameter, fixed in a horizontal position, and provided with steps arranged on the surface, like those of a water-wheel. About fifteen or twenty men are ranged on the machine, their hands holding on a rail a little above their heads. The cylinder then begins to revolve, and the men are thus compelled to place their feet on the next step at the very moment it passes beneath them, or else to hang on by their hands. They take 490 steps in a quarter of an hour, and as at Coldbath Fields they are put on the treadmill three hours and three-quarters per diem, the daily movement they accomplish is equivalent to a perpendicular ascent of 7,350 feet, or nearly a mile and a half.

In prisons where the employment of this machine is not too prolonged, it is found rather beneficial than otherwise to the health of the prisoners; but at Coldbath Fields, the duration of the exercise renders it so fatiguing that to escape it the prisoners feign illness, or even mutilate themselves.\* In such cases, when they are cured, or supposed to be cured, the crank is substituted for the treadmill. This is a sort of iron drum, half full of sand, with a handle, by means of which an overshot wheel in the interior is set in motion, so that each compartment is filled as it passes over the layers of sand, and empties itself after completing its evolutions. The prisoner is to turn this wheel 10,000 times during the day. There are not many who, after a few hours of this most disagreeable labour, which fills the cell with noise and dust, do not ask to return to the treadmill. The crank has certain advan-

\* This ratio, however, is nothing to the quantum of treadmill labour exacted twenty-five years ago at the same prison, when 12,000 feet per diem of ascent was apportioned to each individual.—*Chesterton's "Revelations of Prison Discipline."*

tages over the treadmill, as it measures with great accuracy the amount of force required to accomplish a given number of evolutions, and the quantum of labour performed ; still, it has the defect of being unproductive. Within the last few years its use has been entirely discontinued, in consequence of two deaths which occurred in the prison of Birmingham, and were attributed, rightly or wrongly, to the undue severity of the governor. There is another occupation of the same nature, for men under forty-five years of age—the shot-drill, which consists in carrying bombshells from one place to another, by simultaneous movements, for an hour and a quarter at a time.

All this labour, ingeniously useless, has one great drawback : it tends to degrade the culprit in his own estimation, and to increase his distaste for hard work of every description and his hatred towards society, which, as he conceives, is actuated in punishing him by no feeling save revenge. The precautions and restraints adopted, and which he generally contrives to baffle, only augment his irritation. Neither the silence so rigidly enforced, nor the mask with which the faces are covered, can prevent the prisoners from becoming acquainted with each other, from learning the period when their sentences expire, and arranging meetings when that moment arrives. Still it has been argued, not without some show of reason, that the very fact of the treadmill being so eminently distasteful to the regular thieves and vagabonds, who form at least a third of the population of the London prisons, is an argument in its favour. At all events, if used at all, it might be turned to some purpose, by being employed as the motive power of a productive machine, and a small portion of the products given to the convicts, as an encouragement to hard work and good conduct. This has

already been tried in the prison of Worcester, where the wheel is employed to grind corn.\*

Such, in its principal details, is the system now pursued in English prisons. We see that nothing has been omitted which, in the opinion of the directors at least, can impress the culprit with a sense of his guilt, and lead him to penitence and reformation. But, as I have already observed, many of the measures adopted have, precisely the contrary effect. Besides, with an inconsistency difficult to explain, the convicts, on leaving the prisons of Pentonville and Millbank, are sent at once to the dock-yards of Portland, Portsmouth, or (if too weak for dock-yard labour) Dartmoor, where all the advantage they may perhaps have derived from the moral and religious instruction, so carefully imparted while in cellular captivity, is too often lost by the contagion of bad example and bad society. True, considerable improvements have been effected in the Government public works, as they are called. The profanity and open vice of the hulks is suppressed,† but the prisoners are still permitted to converse with each other as much as they please; and who can tell what lessons in crime may be taught and learnt, what guilty and unholy thoughts may be communicated, what plots may be formed, what future robberies planned, while the men are apparently engaged in work? Even those who are transported at once to Australia on leaving their cells, are generally corrupted afresh during their passage, by their constant and unrestrained intercourse with companions more depraved than themselves, so that, despite all the amelioration in prison discipline since

\* It is now adopted in the House of Correction, or Model Prison, at Holloway, where the wheel serves to draw up all the water used in the prison.

† The hulks were suppressed in 1856 only.

1843, the convicts do not carry a very improved mind or character to the place of their exile.

So long as the various English colonies to which criminals had been transported since the reign of James I. had absolute need of their services,\* to bring their vast tracts of land into cultivation, the colonists had not only resigned themselves to the evils inseparable from the system, but had held it as a decided benefit. At the same time, it was regarded as the only means of ridding the mother country of a continually-increasing influx of criminals, and of affording those criminals themselves a chance of restoration to society. The convict, removed from the scenes of his past crimes, from the influence of his former associates, in a strange land, and thrown among individuals in a primitive state of society, which offered few temptations to evil, had an opportunity of amending his ways, and beginning a new life. Even the system of assignment, so fruitful of evil at a subsequent period, had its advantages in the earlier days of the colony, when the masters were few and scattered, and a good farm-servant or domestic too valuable not to be treated with kindness and consideration.

But as the colony grew rich and prosperous, and free labourers poured in, matters assumed a different aspect. The unlimited power placed in the hands of the masters produced the effect which unrestrained authority always does produce, sooner or later; it rendered them harsh and arbitrary, while the growing wealth of the colony presented new temptation to the men to commit offences, till at length the only feeling between settlers and convicts seems to have been stern and uncompromising severity on the one hand, and deadly hatred on the other. Immorality and vice increased to an alarming extent, and

Transportation to Van Diemen's Land commenced in 1787.



gangs of bush-rangers spread terror around. It is not, therefore, surprising that when convict labour was no longer found indispensable, the colonists should have perceived that the presence of thousands of offenders, of whom so many were utterly unreclaimed, was a scourge which brought no adequate compensation with it.

Numerous cases of robbery and murder, which occurred in several of the penal colonies, determined the inhabitants to get rid of their unwelcome guests.\* They unanimously protested against an infliction which the law had no right to impose upon them. In short, they positively refused to receive the convicts; and, since 1853, Western Australia is the only colony which still continues to open its ports to this dangerous species of emigration.† Under these circumstances, what was to be done? To force the colonists to admit the criminals was evidently out of the question. Two courses alone remained open: the first, to found new penal settlements, to supply the place of the refractory colonies; the second, to keep the prisoners at home. The first expedient was surrounded with difficulties. If the colony was to remain penal, it was urged, free settlers must be excluded, for, as soon as they were in the majority, they would oppose the further importation of convicts, as those of Australia did already. In that case, the one real advantage of transportation—the dispersion of the criminal class among a free population, where they might become absorbed, as it were, in the general mass—would be altogether lost. Nay, do what they might, the same difficulty would arise in course of time. The convicts

\* From 1789 to 1837, no less than 100,000 convicts had been transported to New South Wales and Van Diemen's Land alone. From 1840 to 1845, 17,000 were sent to Sydney.

† Western Australia will be likewise closed to convicts after 1869.

would have children—for women, of course, must be sent out as well as men—and in thirty years or so a new generation would spring up, who, though the descendants of malefactors, would themselves be innocent, and would probably object to the importation of criminals. If, on the other hand, they inherited the vices and followed in the footsteps of their fathers, they would form a whole population of robbers and ruffians, which would only be rendered more ferocious and dangerous by the importations of new convicts. And even were it otherwise, what right, it was urged, has any nation to people a new country with its scum and refuse—its thieves, vagabonds, and murderers?

These considerations were strongly urged upon the Government. It was evident, however, that if transportation was to be abolished, something must be substituted in its place. An Act was therefore passed, in August, 1853, sentencing all those who previously were condemned to seven, fourteen, or twenty-one years' transportation, to penal servitude or terms of imprisonment, varying in duration according to the different periods of time for which, under the former system, they would have been transported, but never equalling these periods in length.

Government was likewise empowered to grant the convict a licence, or ticket of leave, by which he was entitled to be at large in any part of the United Kingdom; but that licence might be revoked by the Secretary of State, at pleasure. Such was the much-discussed ticket-of-leave Act. Its immediate practical results were anything but satisfactory. The prisons soon proved too small to contain all the felons sent there from the central criminal courts. Tickets of leave were consequently granted to numbers utterly unfit for liberty;

and England, besides her usual complement of crimes, became the scene of those which had hitherto been committed in the colonies. Malefactors of the worst species were set at large, without the slightest supervision on the part of the police, despite the tolerable certainty that the only use they would make of their freedom would be to re-commence their career of crime and depredation. These ill-judged liberations became more and more numerous, in proportion as the reaction of which we have spoken against the sanguinary laws of past ages increased. By the Act of 1853, theft, let the value of the object stolen be what it might, could be punished by two years of hard labour only. Whatever might be the number of previous convictions, the offender could not incur more than ten years' penal servitude; and, from the abuse of the ticket-of-leave system, this term was merely nominal, being, in point of fact, frequently reduced to one-half, and less than half, the duration of the original sentence. Malefactors of the worst description were thus continually set at large, after a detention too short to be of the slightest real service in effecting their reformation; and it was calculated that 2,000 convicts per annum were silently let loose on society. So that what with this new influx of delinquents, and the crowds of unreformed villains discharged from the hulks and the common gaols, the country became inundated with ruffians. A general panic was the consequence, and a universal cry was raised against the ticket-of-leave system, to which was attributed all these new attacks on person and property. The theory of reformatory punishments was accused of the same sophisms and exaggerations as the utilitarian system of Bentham. How is it possible to know, it was asked, if a convict is or not sincerely repentant;

if he has or has not truly resolved to fulfil his duties towards God and man ; and, above all, whether he has or has not surmounted all the obstacles which may prevent his carrying these good resolutions into execution ? In many cases it is precisely the most guilty who will be the least severely punished. The really hardened are not always those who appear so ; on the contrary, it is these very men who evince the greatest submission to prison discipline. There is but one thing to be done—to return to the system of deterrent punishment, and to the rigorous penalties formerly exacted for crime.

In the midst of these almost universal accusations, one voice was raised in the defence of the new system—that of the learned Recorder of Birmingham. The theory of reformatory punishments, said Mr. Hill, is excellent in itself ; it is only the mode of application which is defective. Prisoners who are liberated, whether provisionally or definitely, require to be prepared for that liberation ; and neither the system adopted in our prisons, nor the persons in charge of the prisoners, are such as are fitted for the task of overcoming their evil tendencies, or calling forth their better natures, of promoting, in short, the reformation of the guilty. Unvaried good conduct, and willing industry while undergoing the penalty of his offence, should alone entitle the convict to that partial remission of his sentence now granted without examination to so many who avail themselves of their freedom only to relapse into crime. Secondly, each convict should have an account opened for him, accrediting him with a portion of the real or fictitious value of his labour. The quantity or quality of this labour, voluntarily performed, ought, in the Recorder's opinion, to hasten or retard the period of his liberation. Distant hopes, nay, even the perspective of liberty itself,

would not, he thinks, exercise a sufficiently powerful influence over the mind of the criminal, without the prospect of some more immediate advantage. He should therefore be allowed, if he thinks fit, to expend a portion of his earnings in the improvement of his diet, and thus he will gradually acquire habits of industry. But even if able and willing, on leaving the prison, to gain an honest livelihood, this will not be sufficient protection against the temptations which will certainly assail him, if he has not also learnt to conquer his passions and control his desires. Every sum, therefore, however small, withdrawn from the fund created by his labour, for the gratification of his appetite, is to delay the moment of his release. Thus he will learn economy and self-command. A completely new system of education and probation are also requisite to make an honest citizen of that man whose life has hitherto been a continual revolt against society. But this is not all: the convict, when conditionally liberated, does not demand less supervision than while in confinement, and if his habits and connections when at large on ticket of leave are such as to create any doubt of the sincerity of his reformation, he must be sent back to prison till the completion of his sentence. Nay, even when that sentence has expired, he ought to be subject to preventive imprisonment if his general conduct appears to warrant suspicion, and if he cannot prove that he has an honest means of gaining his bread. This last clause, which excited a considerable outcry, would certainly introduce a completely new element into the legislative code, and one most potent for good or evil, according to the manner in which the power Mr. Hill would confer on the judges is exercised and controlled. As to the reformation of the greater part of the convicts, the Recorder believes in its possibility. It

is proved by irrefutable testimony, that from 1843 to 1845, 298 convicts were discharged from the prisons of Munich, after confinement from one to twenty years. Of these, 246 have done well, though 189 of that number had been convicted for murder, homicide, and felony. How was this result obtained? By the mildest of all possible systems, that of work in common, without even the enforcement of silence. All these prisoners, who were at first treated like wild beasts, surrounded by armed men, guarded by enormous dogs, loaded with chains and blows, have been humanised by the efforts of a single man, the governor, Mons. Obermair, who had previously acted as the director of the prison of Kaiserlauten, with similar success. M. Obermair founds his system on the conviction that the worst criminal preserves the germ of some good quality, and that discipline based rather on mercy than severity, by appealing to the nobler instead of the brutal instincts of humanity, will awake a new feeling in the mind of the convict, that of self-respect, and thus gradually develop those moral qualities which, though dormant, are never completely extinct.

Colonel Don Manuel Montesinos, governor of the prison of Valencia for twenty years, has, we are assured, obtained still more remarkable results, by a system still more indulgent. The average number of prisoners is about 1,000. Under the old system, the re-commitments were from thirty to thirty-five per cent. per annum, now they are about two. The colonel has turned his prison into a *Cité Ouvrière*, in which the convicts work in groups, at forty different trades. Many of them are engaged in making the most costly furniture and the richest stuffs, the proceeds of which are divided between the prisoner and the State, leaving each convict about £16 per annum. At Valencia, as at Munich, the prisoners could abridge

the term of their captivity one-third by their good conduct. They were taught reading and writing, and had an excellent library at their disposal, together with a garden, a *pheasantry*, an *orangery*, and other indulgences. "Thus, in point of fact, scarcely watched or guarded, without chains or locks," says Mr. Hoskins, who first published an account of this wondrous prison, "they seemed kept within the bounds of the prison-house by nothing but the spirit of obedience and discipline, and what we confess to us seems still more remarkable, when once released, with some few exceptions, they never returned."\*

Despite the admirable results achieved, it was feared, not unnaturally, that so much comfort and indulgence bestowed on criminals might have a dangerous effect on the honest, hardworking population, and that their competition would lower the value of the labour market. Severer measures were consequently introduced, the convicts were deprived of that portion of their earnings they had hitherto received, and the power of abridging their term of confinement by good conduct. But from that moment, no longer cheered by the incentive of hope, they lost their energy and relaxed their efforts, and worked without zeal or interest. Infractions of discipline became more frequent, and re-commitments more numerous.

\* According to the account of a later writer, Mr. Wallace, the discipline of the prison of Valencia, though generally mild, is by no means so gentle as the description previously published had led it to be supposed. Disobedience and riot were punished with a sound flogging; malicious and obstinate conduct with confinement in a dark cell, on bread and water. He admits, indeed, that cases requiring punishment were very rare; but he adds that *galleys and chain-gangs* do exist in Valencia, and that the fear of being removed to them may have had not a little to do with keeping these favoured convicts in such excellent order.—*Note of Translator.*

After experience so conclusive, it seems difficult not to agree with Mr. Hill that gentle means have a greater empire over the minds of criminals than rigorous discipline. But do we mean that it would be well to suppress every appearance of chastisement in our houses of correction and prisons, and to treat the convicts like honest citizens assembled in a sort of Phalanstery, to work at their own will and pleasure? This is far from our opinion. The wonderful success achieved at Munich and Valencia is a thing apart, and due to a genius of a completely exceptional order. There are individuals born for the moral government of mankind, endowed with an irresistible power of persuasion and command, who, by the mere force of their moral and intellectual being, can control the most ferocious of their own species, as there are others who, by their look and gesture, can fascinate and subdue the most terrible of the brute creation. But these are the exceptions, not the rule; and it would be, indeed, a fatal error to adopt a system which must depend solely or principally for success on the mental powers of the governor. In the second place, there is evidently flagrant injustice in instructing thieves and murderers in the most lucrative trades, and pampering them with every description of indulgence, while so many honest labourers find it hard to obtain the common necessities of life. We may add, from personal experience, that the natures both of Spaniards and Germans *differ considerably from that of the English*, and the system which has had such eminent success at Valencia and Munich would perhaps scarcely be applicable to London or Liverpool. The Spaniard is proud, revengeful, and even bloodthirsty when roused to hatred; but there is a feeling of chivalry, and a natural passionate fervour, which renders him more accessible to the sense of



honour, more easily touched by kindness than any of the lower classes in Great Britain.\*

The Bavarians, though apt to commit the most horrible crimes under the influence of drink or passion, are naturally milder, more submissive, more accustomed to obedience than the English. The results of the system of Munich and Valencia, though most valuable to the cause of penal reform, as *evidence*, must not be considered as entitling its advocates to count on similar success in all other cases by the adoption of similar measures.

But are there any others? Is the system of penitentiary reform nothing but a generous delusion? Is the hope of restoring our fellow-men, depraved by vice, intemperance, and crime, to a sense of honour, to repentance, and amendment, founded on reason and sound principles? It can scarcely be denied that the spirit of enlightened humanity, guided by intelligence and religion, is the most effective instrument of prison discipline.

Whether ideas are innate in the human mind, or whether it is education alone which awakens and develops them, one thing is tolerably certain, that in the criminal class the fatal influence of vice, intemperance, and depravity blunts the keen edge of conscience, if it does not destroy it at a very early age. Yet the sense of right and wrong, the notions of good and evil, however much they may be obscured, are seldom, if ever, obliterated; for the Divine ray which beams forth from the soul is still more rarely completely extinguished than that emanating from the intellect. Some years ago I visited an hospital for the insane at Auxerre, under the direction of a young doctor, Monsieur de Geux, full of zeal, skill, and devotion. This gentleman assured me

\* Colonel Montesinos himself remarks that there are very few persons in Spain who are criminal from actual depravity.

that the mental faculties are never completely destroyed. "The maniac," he says, "loses only the power of directing and controlling them. Nay, even then it is not so much the power itself that is lost as the relation which ought to subsist between that power and the intellect. In a word, mental alienation rarely results from the *loss* of the understanding, but, generally speaking, from a disorganisation of the thinking principle. The cure consists in re-establishing this relation."

"It is by restoring to the patient the use of his will," observed the physician, "by careful and continual exercise of that will, that I often succeed in effecting a cure, and invariably in warding off those fits of frenzy which it was formerly found impossible to avert. While learning submission to the power of my intellect, he gradually recovers the use of his own ;" and, in fact, the doctor pointed out most of his patients writing to dictation, repeating lessons, reading, or engaged in gardening, and various other avocations.

There is, of course, a wide difference between intellectual and moral insanity—between madness and crime ; but there are also many points of resemblance. In both violent remedies often seem only to irritate and aggravate the malady ; in both it is frequently the faculty of will, that is, of controlling the will, and carrying the better suggestions of the mind into execution, which is wanting. Of course there are many and striking exceptions ; but setting aside the monomania of crime, it is proved that a large majority of those who have relapsed into their former courses had really formed excellent resolutions, and only required energy to carry them into execution. Doubtless hypocrisy is not rare among these unhappy men, but there is many a sincere penitent and true religious convert. That prisoner whom you see on his knees, praying

with such fervour in his lonely cell, may relapse into crime when he is once more at large, but does that prove that his apparent piety is mere pretence? By no means. Possibly enough he deceives himself in believing that he is reformed—or rather, he *is* reformed at the moment he believes it—but when restored to liberty he has not strength enough to resist the temptations by which he is beset on every side, and which he has never learned to withstand, either when his own master nor when in prison. Is this want of self-control peculiar to the criminal population? Is it not a part and portion of human nature itself? “I do the evil which I would not,” says the apostle; “and the good I would, I do not.” It appears, then, by no means irrational to seek to reform criminals by a process *somewhat* analogous to that which has proved so successful in the treatment of the insane, viz., the constant and careful exercise of the mental and moral faculties, by trials carefully renewed, which will gradually restore to the prisoner the power of self-control, if he has lost it, or enable him to acquire it, if he has never possessed it.

A potent argument, that of facts, may be adduced in support of these physiological considerations. The director of the Irish prisons, Captain Crofton, struck by the profound justice of Mr. Hill’s observations, in his annual charge to the grand jury of Birmingham, proposed a plan to Government, in which the suggestions of the Recorder were virtually embodied. “The possibility of reforming a considerable number of criminals,” he said, in his evidence before the Transportation Committee, 1855, “was admitted in 1850, after a careful investigation by a special committee of the House of Commons; and that opinion has been corroborated, both by facts and statistics. The acknowledged object of every penal

system," he adds, "is, or should be, to combine repression and reformation. That now in operation begins, or ought to begin with *penal*, and terminate with *reformatory* discipline. Let us institute an intermediate stage, which is to unite the characteristics of the two others, but where the reformatory element is to predominate, as the element of repression predominates in the first. The great difficulty with which liberated convicts have to contend is the want of work. So long as this difficulty exists, the convicts, whether reformed or not, must remain a distinct part of the community, rejected by the rest, and thus naturally forced back into crime. The first object, therefore, is to remedy this state of things. We have long sought to induce the public to employ that portion of our convicts of whose reformation we are ourselves convinced, by adducing their exemplary conduct in prison as a guarantee for the sincerity of their amendment. But the public does not consider a certificate of good conduct, granted to a man while he is removed from all possibility of temptation, as any proof of real contrition. And the public is right. It attaches very little value to this negative test, and, by refusing to employ any man who has once been a convict, it repulses indiscriminately not only those who are *not* reformed, but those who are. The intermediate stage now suggested, by placing the prisoner in a position where, as in the world without, he will be exposed to certain temptations, will afford the public the means of judging his habits of industry and his aptitude for labour, and for deciding whether his reformation be a truth or a fiction." Captain Crofton was convinced that these facts once established, manufacturers and employers would no longer refuse the services of any discharged prisoner really reformed, and sincerely desirous of gaining an honest livelihood. This

probationary stage, acting as a filter between the prisons and the public, would become a certain means of testing and recognising those convicts who have seen the errors of their ways, and heartily wish to amend them; and the privileges they would enjoy would exercise on the rest an influence the value of which cannot be too highly appreciated.

In accordance with these principles, Captain Crofton proposed a plan, based on what he called "*individualisation*;" that is, not only separate confinement for a given period, but instruction and training of a peculiar nature applied to each individual. He advised that the detention should be relatively equivalent to the term of transportation the criminal had incurred. For instance, a man condemned to ten years' transportation was, if his conduct during the earlier portion of his imprisonment had been such as was desired, admitted to a probationary stage of four years. After four months passed in this stage, he was to be allowed to receive an offer of employment; and if his conduct continued irreproachable, he might obtain, later, a conditional discharge—revokable, however, at the pleasure of Government, till the expiration of the original sentence of ten years. If during these four years, or in the six years which, by the Act of 1853, are regarded as equivalent to ten years' transportation, the prisoner should be unable to obtain work, he would then have a right to his discharge. Captain Crofton recommended that the gratuities paid during this intermediate stage should be raised, so that they might bear a greater proportion to the value of the work executed. A small portion of this sum was to be left at the disposal of the convict, thus exercising his powers of self-control and honesty. The charge of the prisoners was, in certain cases, to be committed to master work-

men, and lectures were to be delivered every evening after work, mingling such warning and instruction as might prepare them for their final liberation.

These proposals were adopted by Government, and forthwith carried into operation. The intermediate system, as it is called, is now under trial in four different prisons. The number of convicts in each is limited to 100, so as to allow of the application of that *individualisation* to which Captain Crofton attaches so much importance. The exercise of free will is allowed so far as is consistent with the maintenance of order and discipline, so that, without escaping the necessary supervision, the criminal is exposed to a certain degree of temptation. Of these four prisons, Smithfield, at Dublin, is assigned to men accustomed to sedentary occupations. . At the second, at Lusk (a village fourteen miles from Dublin), the convicts are employed in drainage, road-making, and constructing a prison for young offenders. Two others are situated at the forts—Camden, Carlisle—on either side of Cork harbour; and here the men work in the dockyards, in the marine and war departments. In their system of penal reform, both Mr. Hill and Captain Crofton had strongly advised that the convicts should be employed in constructing fortifications, harbours of refuge, works of public utility; in short, so as to indemnify the State, as far as possible, for the expenses incurred by their detention, and the process of their reformation.

To avoid the cost of erecting new and costly prisons for their safe keeping during the intermediate stage, movable iron huts, similar to those employed in the Crimea, were used; in fact, tents, capable of accommodating fifty men, with an officer's room at the side for four warders, and easily transported from place to place.

We will now enter into a few brief details on this

penal system. It is divided into three stages ; the earliest is composed of two periods—viz., the first, during which the prisoner undergoes cellular confinement ; and the second, the length of which depends on his own conduct, in which he works with his comrades by day, but is shut up in a separate cell at night : and the intermediate stage, passed in one of the four prisons, if they can be so called, of Camden, Carlisle, Smithfield, and Lusk, labouring in association, and sleeping several together in a common dormitory. In the third stage the convicts enjoy a provisory liberty, by means of a ticket of leave, which, however, may be revoked in case of bad, or even suspicious conduct. The first part of the sentence is passed in the cellular prison of Mountjoy. It is singular enough that while the French Government, after so many costly experiments, has abandoned cellular confinement as impracticable, that of England should have selected it as the basis of a new reformatory system. During the first four months the diet is extremely low, no animal food being allowed ; the labour of the most uninteresting description, viz., picking oakum. Captain Crofton rightly feels that this is the proper time to apply the penal part of the sentence, the physical and mental suffering, with which to a certain degree all crime should be visited—without which, indeed, we too often fail to recognise that we have really sinned.\*

Still, even then the reformatory system is at work. From the very first day of his incarceration it is sedulously impressed on the mind of the offender that the suffering

\* No meat is given. Captain Crofton, in his evidence before the House of Commons, states it as his opinion that nine months need not be the maximum of the deprivation of animal food ; that if it were given one month before the prisoner is sent to the associated prison labour, it would be sufficient.

inflicted on him is for his own ultimate benefit ; that his future condition will, in a considerable degree, depend on his own conduct ; that if obedient and orderly, the nine months' separate confinement will be abridged to eight ; that if violent and insubordinate, that confinement will be still further prolonged, his diet reduced to bread and water, and even severer measures adopted if necessary. Still, the imprisonment cannot be termed solitary in the strict sense of the word ; it completely separates the convict from those it is desirable he should avoid, but it brings him into daily contact with men whose influence cannot fail to act beneficially on his character.

One important, and, at first sight, singular modification in the system of prison discipline was introduced by Captain Crofton in the Irish prisons ; the convicts, if ignorant of a trade, as is frequently the case, are not taught any during the period of solitary confinement. Captain Crofton felt convinced that if they are permitted to converse with the warders during nearly the whole of the day, which they must be to receive the necessary instruction, the effect of the punishment of isolation would be materially sacrificed ; while there would be no gain to the nation at large, as nearly all the unskilled prisoners are afterwards sent to the public works to be stonemasons and labourers. After the first three months, those who have been tradesmen, and therefore require no special instruction, are set to work at their trade. The others are employed in mending the prison clothes and boot closing, &c. As a great privilege, they are allowed to work with the cell door open, and from the very commencement they are daily visited by the chaplain and prison reader, and leave their cell to take exercise in the prison yard, to attend the evening class, and to join in Divine worship.



At the end of eight or nine months the convict, if a labourer, is sent to Spike Island, where Government is erecting fortifications; if an artisan, to Philipstown,\* where all sorts of trades are carried on. In both cases the prisoners work together by day, and are shut up in separate cells at night.

During the latter part of his solitary confinement at Mountjoy the convict was supplied with books, not only of a religious, but of an instructive and even entertaining character. Now, in addition to his daily lessons, he is allowed to be present at evening lectures, which point out the sin and danger of criminal courses, while at the same time the lecturer chooses subjects adapted to the tastes, wants, and intellect of his auditors. Nothing, for instance, can be of greater importance to the prisoners than to learn how they may gain an honest livelihood when liberated, and what resources they may find in emigration, to which many of them will probably resort. The lecturer will be sure to awaken their liveliest interests by entering into details as to the climate, work, and salaries of the different colonies where they may direct their steps. Above all, he is careful to warn them against the dangers and temptations to which emigrants are everywhere exposed, and against a peril still more imminent, the absurd hope of finding a spot in any quarter of the globe where a man can earn an honest livelihood without labour and self-control.

The prisoners at Spike Island and Philipstown are divided into classes. On leaving separate confinement, they enter into the third class. It is now that the mark

\* Philipstown is now closed, owing to the decrease in the number of convicts. The number of prisons has been reduced; a wing in Mountjoy is now appropriated for this class of prisoners.—*Note by Translator*, 1866.

system, which forms the peculiar feature of the Irish prisons, comes into play.\* The maximum number of marks which each convict can obtain monthly is 9, but they are divided into three categories—viz, 3 for discipline, 3 for industry at school, and 3 for industry at work. A convict can raise himself from the third class into the second in two months, by gaining 18 marks; into the first in six, by gaining 54; and into the A, or advanced class, by the acquisition of 108. In the first, laziness and bad conduct entail the return of the offender to the probationary class, so that he has all to begin again. The period of his detention in the ordinary prison, within the minimum term, depends on himself; and as he must pass a certain time in the intermediate prisons, ere obtaining his ticket of leave, he has every stimulus to self-control and industry. Those who have reached the advanced class are removed to a completely different part of the establishment, employed on special works, and treated with greater consideration. The idlers, on the other hand, are put in a class apart, on reduced diet; while the dangerous men (and there *are* such, who assault the warders) are withdrawn altogether from the other convicts, and kept upon the very lowest scale of food which the medical officer will permit—nay, if necessary, they are even put in irons—and this treatment is continued till, by their conduct, they prove they are entitled to return to the ordinary labour classes. Flogging is resorted to only in the last extremity.† A twelvemonth's exemplary conduct in the advanced class, proved to be such by daily

\* This system was, however, originated by Captain Maconochie, with this difference, that instead of a fine, a labour sentence was at once inflicted.

† For the last three years and a half, it has been necessary to resort to this punishment.—*Note of* EDITOR.

reports, raises the prisoner to the intermediate stage, and transfers him to Lusk, to Smithfield, or to Camden-Carlysle, according to his aptitude for the labours carried on in these different establishments. There, in continual companionship with his fellow-convicts, he occupies an intermediate position between captivity and freedom, engaged in works of various descriptions, so as to test his fitness for conditional liberty. If in the prison factory at Smithfield, he is frequently employed as a messenger in the city, or in special works outside the walls, which he does not re-enter till six or seven in the evening, unaccompanied by any officer. If he resists the temptations which naturally assail him under these circumstances, he is entrusted with the duty of making purchases and paying the bills of the establishment. These successive probations, which constitute the essential part of the system, have hitherto been so successful that, we are assured, *not one instance* of dishonesty, or even of irregularity, has occurred, though the most careful checks have been contrived to detect either, should they happen. In this stage there exists no classification, but the slightest fault, the least indication of idleness or disobedience, would at once exclude the prisoner from its ranks,\* and send him back to a lower one. And here begins the practical apprenticeship of self-control, temperance, and economy. Except during the nine months of separate confinement, when he is allowed *no gratuity* whatever, the convict has been regularly accredited with a small portion of his earnings, which, however, has been laid aside for him to receive on his liberation, viz, 1d. a

\* At Lusk, fifty men are employed in the cultivation of waste lands, with no control except that of a few officers, who, we are assured, act rather as foremen than as guards, with hard work and hard fare, yet any attempt at absconding is almost unknown.

week in the third class, 2d. in the second, 4d. in the first, and 7d. or 8d. in the advanced. Arrived at the intermediate stage, this gratuity is at once raised from 8d. to 2s., or for a first-rate workman 2s. 6d., and of this 6d. a week is placed in his own hands, with which he may purchase any little luxury he pleases, such as red herrings, tobacco,—anything, in short, save drink, which is strictly prohibited. When he has regularly laid this 6d. by, and this is now generally done, to add to his savings, he is congratulated by the director, not only on this addition to his pecuniary resources, but on the empire he has acquired over himself.\*

If he has spent the money on some object which will be of use to him on his discharge—a coat, or a pair of trousers, for instance—he also receives marks of approbation. In certain cases the director expresses his dissatisfaction, but without imposing any restraint on the liberty of the convict in the employment of that portion of his earnings allotted to him. One day Captain Crofton found that a prisoner had for several months past employed his 6d. per week in the purchase of tobacco. Without a word of reproach, he asked him what habit

\* The gratuities in the Irish prisons are not above one-half as much as in the English. Thus the largest amount obtainable by a man of the best character, under a sentence of four years, having a claim to a licence, would be £4 12s., viz., after leaving separate confinement:—Two months in the third class, at 1d. per week, 8d.; six months in the second class, at 2d. per week, 4s. 4d.; twelve months in the first class, at 3d. per week the first six months, and 4d. the next, 15s. 2d.; the advanced class, six months at 9d. per week, 19s. 6d.; the intermediate prison, five months, at 2s. 6d. per week, £2 12s. 6d.; together, £4 12s. 2d. The English gratuities are as much as £2 per annum. They are, however, paid in instalments, but the prisoner receives it all in six months; if the sentence be long, as much as £24.—1866.

had led him into crime. "Drunkenness," replied the man. "Are you not afraid of relapsing into that vice on quitting this place?" "Oh, no! I have not drank for many years, and I do without it capitally." "But you were many years without smoking, and though at first you suffered considerably from this privation, you were convinced at length it did not affect your health. Now, as soon as you are permitted to purchase tobacco, you make use of that permission. If you are unable to resist the temptation of tobacco, how can you be sure of resisting that of drink?" This conversation made a serious impression on the poor fellow; and a subsequent inspection of his account-book showed that he had gradually diminished his dose of tobacco, till he had given it up altogether.

The studies commenced at Mountjoy, and continued at Spike Island, are carried on in a more advanced stage at Lusk, Smithfield, and Camden-Carlisle. The prisoners learn history, and their attention is peculiarly directed to the advantages of emigration, which is here reduced to a science. The principles of political economy are taught, especially those which concern the relations between employers and employed. Finally, Saturday evenings are devoted to a lecture delivered by Mr. Organ, lecturer to the prison, a truly philanthropic and large-minded man, whose heart and soul are in his work; and the convicts propose questions to each other, on subjects which have been treated during the week by their instructor, such as the results of strikes, the great sources of crime, the question of emigration, and similar subjects, all demanding considerable intelligence and powers of thought to answer in anything like a satisfactory manner. Thus we see the prisoners are not suddenly thrown on the world, after long seclusion from their

fellow-men, and from the possibility of temptation. They are gradually prepared for liberty.

The directors now set about obtaining work for those who, having gone through the probationary and intermediate stages in a perfectly satisfactory manner, are considered fit to quit the prison with a ticket of leave, which confers upon them provisional liberty. The convict, if at Dublin, is bound to present himself every fortnight to the inspector of police; if elsewhere, to report himself at the constabulary station on his arrival in the district, and subsequently on the first of each month. If he removes to a new district, he must obtain a new warrant, addressed to the police of that district, and he is informed that the slightest infringement of these rules, which are indeed appended to the licence itself, will entail its revocation, by exciting the suspicion that he is leading an idle and disreputable life. In this case he is sent back to the cellular prison, and has to go through all the probationary stages anew, beginning at the very first, till the term of his original sentence has expired; but it is rarely that this occurs. The supervision, combined as it is with careful registration, is so strict that it is scarcely possible for a ticket-of-leave man to escape detection if he infringes the condition of his licence, and Captain Crofton unhesitatingly declares that he does not know a single instance of any convict under such circumstances remaining at large. Yet this supervision is so managed as never to harass or annoy the ticket-holder; and we are assured, on the best authority, that, far from resenting it, they acknowledge its value, as a protection against temptation. Nor must it be forgotten that it is the certainty of this surveillance which alone induces manufacturers or others to take licence-holders into their employ, and the success of the whole system is mainly attributable to

the conviction, on the part of the convict, that he could not return to crime with impunity ; and of the master, that the man is still under observation and control.

At first, infinite difficulty was experienced in obtaining employment for the ticket-of-leave men ; but Mr. Organ, who had undertaken that duty, persevered till success attended his efforts ; and the conduct of the men, as a rule, is so satisfactory that the demand exceeds the supply. Mr. Organ continues, so far as it is possible, to watch over them, when they have left the prison walls. If they are in Dublin, he visits them and their employers once a fortnight, and if they are at a distance he carries on a careful correspondence with them. The fact of their being convicts is, however, concealed from their fellow-workmen. Nor does Mr. Organ confine himself to prisoners discharged on ticket of leave, though his official duties extend no farther. He habitually visits other men, whose sentences have expired, over whom, consequently, he has no legal control, and who, by permitting these visits, sufficiently attest their sense of the value of so true a friend.

While in the intermediate stages of Smithfield and Lusk, such of the prisoners as evince the desire of leaving the scene of their former crimes, are instructed by Mr. Organ in the practical working of a ship, of which he always keeps a model at hand. They are encouraged to save the portion of their earnings allotted to them to pay a part of their passage, and generally contrive to work out the remainder.

The system we have just described, from the verbal and written explanations of Mr. Hill and Captain Crofton, and the results of which form so striking a contrast to those of English prison discipline, is likewise applied to women, but with certain modifications. The

question, how to dispose of female convicts when their ticket of leave is obtained, is one of the most difficult of social problems, and Captain Crofton was much puzzled how to deal with it. As is truly observed, in a report of the Committee before the House of Commons in 1858, a man can obtain employment in an out-door service where special reference to character is not demanded; but in almost every occupation open to women a good character is essential, and thus no resource is left to the criminals of that sex, if at once thrown on the world on leaving prison, save to return to their former courses. Captain Crofton felt convinced that one plan alone could save them from destruction—viz., placing them in refuges, which should serve as a medium between the gaol and the outer world, where they might remain under the care of pious and enlightened women till their licence expired. Their conduct during that period would test the reality of their repentance. If good, it would, in all probability, ensure their obtaining places in respectable, if humble families, when, as with women is too often the case, emigration is impossible. Should a prisoner misconduct herself, she was to be liable to a re-commitment, and to undergo her full sentence.

Two refuges were opened, one (by far the largest) for the Catholic convicts, under the direction of the Sisters of Mercy, adjoining their own house at Golden Bridge, near Dublin; the second, for Protestants, within the city itself. No words can render justice to the unremitting zeal and self-devotion with which the lady superintendents of both these establishments fulfil their labour of love, and they rarely fail in finding work or places for their *protégés* when their term of sentence has expired.

Such is the important experiment on trial in the Irish prisons since January, 1856. According to the



report of Captain Crofton, and the statistics of the Irish convict prisons, which are undoubtedly reliable, because, as we have seen, adequate measures are adopted to identify convicts who relapse into crime, the reformation of a considerable portion of those subjected to this system may be confidently anticipated. The practical effect of this discipline, says the Recorder, Mr. Hill, who lately visited the Irish prisons, is, "That out of 500 men and 35 women who were released conditionally and unconditionally in 1856, after passing the former through the intermediate state, the latter through the reformatory, only seven—all of them men—have been known to have been re-convicted. In addition to these highly satisfactory results, it is certain that crime, from whatever cause, is steadily decreasing in Ireland. The officer who accompanied me over Spike Island informed me there were only 900 prisoners there, though there had been, formerly, as many as 2,100 at one time. The only reason he could adduce for this change, is the diminution of crime in Ireland."\* As to incorrigible offenders—those who, despite every effort to amend them, obstinately return to their old courses—Mr. Hill is of opinion, as we have seen, that the penal laws concerning them should be modified, and that, like dangerous madmen, they should be kept in perpetual confinement; or, to use the Recorder's own words, "incapacitated from continuing their course of crime."

This would be, perhaps, the most important and valuable change that could be introduced into the penal system in the present age. The more we reflect, the less we understand why the protection of the ordinary social rights should be granted to the enemies of society; why

\* "Second Visit to the Gaols and Reformatories of Ireland," 1857.

men who, rejecting every effort to aid and form them, voluntarily decide on placing themselves in this category, should not be subjected to a special legislation and to special magistrates, and deprived of a liberty which is evidently incompatible with public safety. It is notorious in England; as elsewhere, that there is a certain class to whom crime is not an accident, but a regular calling, and who are individually known to the officers of justice as having no means of subsistence, save robbery and degradations of all descriptions. Mr. Hill shows that this dangerous class is increasing, owing partly to the increase of national wealth; partly to the comparative disuse of transportation; and, above all, to the short terms of confinement so injudiciously administered. He declares that it is just as well known to the police that these men commit offences daily, as it is known to us that people must eat and drink; and he reasonably inquires whether that knowledge might not be made available to break up gangs which keep the country in a state of constant alarm, and to lay hold of those inveterate criminals, who, when too infirm to *commit* overt acts of crime themselves, employ their remaining days in teaching their younger accomplices the best methods of *committing* them without detection. It is true that such a practice is contrary to the principles of English jurisprudence, and would certainly require the utmost care and caution in the administration. Still, the evil is so great and so manifest, that it evidently demands a remedy. Is it not a sufficient concession, it might be asked, to individual liberty, if that guilty section of the population whose daily bread depends on the success of their aggressions on property and person, are allowed to relapse once, or at the most *twice*, without any unusual precaution? One argument against this innovation is the increased expense which would be entailed

by the maintenance of so large a body of convicts. But the English economists calculate that a thief at large costs infinitely more than in prison, and that the produce of his labour ought to defray, at least, no inconsiderable portion of the expenses of his captivity.

The measures which regard the criminal population are the subjects of constant anxiety in England, and give rise to all sorts of propositions, some of them of a very singular nature. In 1857, under the impression of terror which the increase of crime had created throughout the country, Mr. Mayhew, author of a curious work called "London Labour and the London Poor," convoked all the thieves and "roughs" of the metropolis, then in the enjoyment of provisory or definitive liberty, to several consecutive meetings, that they might express their opinion freely as to the result of the present system in effecting their reformation, and declare their preference for transportation or penal servitude. The debates on this occasion, which were presided over by a peer of the realm, Lord Carnarvon, were perfectly parliamentary, except when one young orator accused Mr. Mayhew of having proposed these meetings only to find a subject for an amusing chapter in a work he was then publishing in numbers. The majority of this singular assembly declared their preference for emigration, but certain among them expatiated on the advantages of continuing in their mother country, and coolly pointed to the comfort of their personal condition, as exemplifying what might be done in England with a ticket of leave.

If, however, those who relapse continually into crime, the incorrigible offenders in short, who are known to pursue robbery as a calling, are to be subjected to exceptional laws for the preservation of society, it is evident that the convict who has expiated his offence, and given

satisfactory pledges of repentance and reformation, should be able to depend on assistance and protection in working out his return to the paths of virtue and honesty. This can be secured only by the diffusion of Prisoners' Aid Societies, to assist in procuring employment for the discharged convicts, and watch over their future conduct.

The intermediate stage of imprisonment, combined as it is with due police supervision, has had such signal success in the sister island that it is difficult to conceive why it has not been adopted in England, where the former does not exist at all, and the latter is absolutely nominal; for while the police are directed by the Public-house Act, which makes it penal to harbour known thieves, to point out such when they fall in their way, they are strictly forbidden to interfere with the ticket-of-leave men when they find them, even in houses haunted by known offenders, and even in their company. This has the natural effect of affording them opportunities of committing crimes, and, indeed, almost offers them an incentive for so doing.

The practice of making the pay of the warders in the public work prisons at Dartmoor, Portsmouth, and Chatham, depend in a considerable degree on gratuities, the amount of which is regulated by their own statements as to the efficiency of the convicts' labour, is likewise liable to serious abuse.\* Is it not evident that it exposes them to the greatest temptation to conceal the delinquencies and idleness of those under their charge, lest the revelations should diminish the amount of their own salaries? The mark system, as adopted in Ireland, would at once put a stop to these abuses. The dietary of English prisons

\* Within the last year this abuse has been remedied. (See Appendix.)

likewise imperatively demands reduction. It is on an absurdly high scale. To give the offender against his country's laws, who has cost that country already immense sums by his depredations while at liberty, and is putting it to a great expense by the necessity of supporting him in prison, an amount of comfort and well-being not only denied, and rightly denied, to the inmate of the union, but which the honest, hard-working labourer cannot possibly obtain, and which even the thriving artisan, if he has a wife and children, can rarely command, is a direct encouragement to crime, and tends to confuse every notion of right and wrong. No punishment is dreaded by the regular thief where the diet is good, the clothing warm, and the labour light; and such, as we have seen, is the case in convict prisons of England. Besides, as matters are at present arranged, prisoners sentenced for a short term of confinement have a much smaller allowance of food than those condemned to penal servitude, though the offence of the latter is of far deeper die. It is argued that a more nutritious and ample scale of diet is required to counteract the depressing effects of long confinement, and to support health. Even supposing the truth of such an assertion, there is no reason why the convict should *begin* with a larger and more substantial allowance of food than his less guilty fellow-prisoner. It might be increased, as in the Irish prisons, after the first nine months of separate confinement. But this argument is refuted, by the fact that such diet is adopted without any detrimental results, not only at Mountjoy, but in the prisons of Scotland, although the Scotch prisoners rise earlier and do more work than the English. Mr. Frederick Hill, for so many years Inspector of Prisons in that country, informs us that in 1849 the average cost of the food of each prisoner per day was 3½d. in Scotland, and

4½d. in England.\* In this, as in every other benevolent and philanthropic scheme, there are limits not to be overstepped without creating a degree of mischief, almost counterbalancing any amount of good which may be effected by the most valuable reforms.

I have thus endeavoured to draw attention in France to the efforts of a great nation strenuously seeking to combat or vanquish the crime and depravity of the perishing and dangerous classes by charitable institutions and penal establishments. We live in an age when man has learnt to command the elements, and bow them to his will. May we not hope that he will likewise acquire a power still more precious—that of subjugating the passions of his criminal fellow-creatures, and recalling them to the paths of virtue and peace? Time alone can decide, but the results I have already indicated lead to the warmest hopes of success; and even if these hopes are destined never to be completely realised, the men who are carrying out this great experiment with such untiring zeal and energy deserve all the more encouragement from the friends of progress, because the obstacles they have to contend with are so difficult to vanquish or surmount.

\* Hill on "Crime."

## A P P E N D I X .

MAY, 1866.

SINCE the publication of the preceding article, considerable and most important modifications have taken place in the laws regarding convicts and prison discipline in England. A statement of these will not be uninteresting to our readers, as serving to complete, though very inadequately, the history of penal reform in Great Britain and Ireland.

From 1859 to 1861 the criminal code and the management of Government prisons in the two countries underwent little, if any, alteration. But while, in the latter, the system continued to produce the most satisfactory results, in the reformation of the convicts and the diminution of crime, even after the retirement of Sir Walter Crofton—thus affording convincing proof that its success depended not on one presiding spirit, but on the soundness of the principles themselves—the other remained a complete and signal failure. The reason of this will be obvious to all who have carefully perused the preceding pages. In Ireland the convicts are dealt with individually, the directors making themselves acquainted with the workings of each mind, and striving to arouse the better feelings of the prisoner. During the first four months of his incarceration, the diet, as we have seen, is low—the work of the most monotonous and distasteful description. There is no communication, except with the governor, chaplain, and schoolmaster; so that ample opportunity is afforded for meditation and repentance;

while, at the same time, every effort is made to impress him with the conviction that the period of separate confinement may be shortened by good conduct, and will infallibly be lengthened by bad ; and that his future condition depends, in a considerable degree, upon himself. When, after nine months thus spent in his prison cell, he is passed on to the next stage, to labour, under strict supervision, with his fellow-convicts, the same stimulus of hope and fear is still presented to him. His co-operation is thus enlisted in his own reformation. The sphere of self-action, at first so limited, is gradually enlarged, in proportion to the improvement manifested by the prisoner, in habit, feeling, and conduct. So he advances from class to class—the amount of work gauged by that mark system which admits of no deception ; his conduct daily registered with unerring fidelity ; gradually acquiring fresh powers of self-control ; pampered by no weak indulgence, but stimulated to exertion by the consciousness that every hour of willing labour and good behaviour hastens the period of liberation—till he is considered fit for the intermediate stage—that important and, perhaps, only real test of reformation. And when, after passing in a satisfactory manner through this period of probation, he obtains his ticket of leave, he is not left to sink or swim as best he may—to relapse unheeded into his old courses, and thus, ere long, to become once more the inmate of the prison walls : he is still under the eye of friendly authority, watched over, and controlled—yet in such a manner as neither to annoy or injure him ; encouraged, on the one hand, to remain in the good path, by every incentive that can be rightly offered ; warned, on the other, against returning to crime, by the certainty of discovery, re-commitment, and increased punishment.



The result of this system is apparent in the diminution of crime (agrarian crime, perhaps, excepted) in Ireland.

It is true, in 1861 and 1862, when the amount rose to so frightful a height in England, there was a corresponding increase in the sister kingdom;\* but this may be, partly at least, explained by the excessive distress then prevailing in that country;† while, in England, there does not seem to have been any material change in the condition of the poorer classes to account for the augmentation in crimes of an aggravated character, usually committed by the more hardened criminals only.

According to the Poor Relief Returns, on the 1st of January, 1862, there were 65,847 paupers in Ireland—showing a difference of 21,000 from the January of 1861. Even then, the re-commitments, despite the strict system of supervision enforced, were less numerous than in England.‡

In 1863 and 1864 the balance is decidedly in favour of Ireland. In the former year the known thieves and depredators in that country *under* sixteen were 370, and *above* that age 2,884; while in England and Wales,§ *in a corresponding portion* of the population, the former

\* The following are the numbers prosecuted at the assizes, from 1858 to 1863:—

1858 .....	17,855	1861 .....	18,326
1859 .....	16,674	1862 .....	20,001
1860 .....	15,999		

† Penal Servitude Acts Commission; Memorandum by the Chief Justice, pp. 78, 79.

‡ Sir W. Crofton's evidence before the House of Commons, 1863.

§ It must be remembered that the average number in receipt of in-door relief in Ireland, in 1864 and 1865, was 55,808, and out-door 8,748, or 64,556 in all, being considerably less than the number in receipt of relief, at the same period, in a portion of the population in England and Wales equal to that of Ireland, viz., 291,724.

amounted to 1,135, the latter to 6,444. In 1864, again, there was a decrease in all the criminal classes in Ireland above fourteen (except tramps and vagrants) of 725 on 11,528, being a diminution of 51 per cent., allowing for the decrease in the population, while the known thieves and depredators were 59 per cent., and the suspected persons 53 per cent., less than the same proportion of the criminal class in the sister kingdom. On the other hand, there was a marked increase in the number of juvenile offenders, and the proportion is higher than that in England and Wales. This may perhaps be accounted for by the absence of certified industrial schools, which in the latter countries, September 29th, 1863, had received no less than 1,231 children. On the whole, it would appear that the number of criminals in Ireland, in prison and at large, were, in 1864, 27,926, or *less numerous by* 14,069, or 34 *per cent.*, than the corresponding number in England and Wales in 1863 (the latest comparison statistics afford), while the apprehensions in the former country were in the proportion of 62·3 per cent. to crimes committed. In England and Wales they were only 58. During the year 1864 there was a diminution of 16 per cent. in the number of offenders sent for trial, and the same had been the case in 1863, and the sum of the two decreases exceeds the temporary increase in 1861-62.

Allowing 12 per cent. for the reduction of the population by emigration and other causes, the judicial statistics (if correct) would prove that the diminution of serious crime in Ireland, within ten years—*i.e.*, from 1854 to 1865 inclusive—amounts to no less than 31 per cent., or nearly one-third.\* It has been urged that this desirable state of

\* "Judicial Statistics for Ireland," 1864, page 83. In 1855, 9,012 were brought before the assizes for crimes entailing penal servitude. In 1864 this number was reduced to 5,086.

things is in reality attributable, in a great degree, to the improvement in the material condition of the people, by emigration, and other causes ; that during the temporary influence of Father Mathew's teaching in 1838, in Ireland, crime had fallen to a lower per-centage than at any subsequent period ; but allowing for these causes, and for the difficulty, perhaps impossibility, of weighing their combined forces with any approach to accuracy, Sir W. Crofton's system must be still admitted to have had no small share in the result achieved.

Meanwhile, what was going on in England ? There matters wore a very different aspect. Crime was on the increase ; and although it would not be fair to throw the entire responsibility on English penal discipline, since other agencies were at work, it could hardly be denied that a portion of the blame at least rested either on that system itself or on the mode of administering it. The fact is, in England the fundamental principle, that the convict's remission of sentence should depend in a considerable degree on himself, was never enforced. The penal element, which in Irish prisons so wisely predominates during the first four months of incarceration, was pretty nearly in abeyance, the man being at once put on a high scale of diet. He soon learnt, too, that although nominally committed to separate confinement for nine months, he would probably quit his cell at the end of seven, not from any deserts of his own, but, owing to "*the exigencies of the public service*," that his ticket of leave would be granted at the very earliest moment possible, except in cases of gross misconduct, even then withheld for a short period only ; and last, not least, that a considerable gratuity was accumulating for his benefit on his discharge.\* Once removed to the public work

\* The reports of the Governor and prison authorities of Millbank

prisons, Portsmouth, Portland, Chatham, or Dartmoor, the unrestrained communication between the convicts on the working ground was alone sufficient to produce fatal results, and destroy whatever good impressions had been created by the period of separate confinement, and the moral and religious instruction which had preceded it. And, as if this were not enough during the interval which frequently occurs between the termination of the cellular incarceration and the removal of the men to the public work prisons, they were allowed to sleep many together in large wards, without the presence of any officer to control or restrain them.\*

In fact, the vast number of felons congregated in each prison was in itself a fertile source of mischief. The warders felt overawed by the great disparity of physical force, which might be arrayed against them whenever the hostile feelings of the multitude rose to a certain height. Thus resort was had to pernicious indulgences in diet or drink, in diminishing the amount of labour exacted, and in increasing the gratuities awarded. Here, too, the convict was placed from the first moment of his incarceration on high diet, and, as if this were not sufficient, the scale continued to rise with the duration of the sentence, till, to use the expression of one of the witnesses before the Committee of the House of Commons, they "fared like

and Pentonville during the years in question certainly present a more favourable view of the conduct and discipline of the inmates, but the investigation evidence before the Committee of the House of Commons proved how much was defective in both.

\* "The association of convicts," observes Mr. Davis, Ordinary of Newgate, "is most prejudicial, especially to the least criminal among them. The former feel no shame in the dreadful deeds they have committed—they glory in them, and the others are much injured by their contamination."—(June, 1868. *Report of the Royal Commissioners before the House of Commons.*

princes." The right of having their rations weighed and measured before their eyes, whenever they thought fit to demand it, besides casting a most unmerited imputation on the honour and honesty of the prison authorities, gave the men a power of annoying and insulting the officers which they did not fail to make use of on every possible occasion. So abundant were the rations that a portion was frequently destroyed by the men lest, if left, a reduction might be the result. The gratuities paid on their release were inordinately large, and we are not surprised to learn that not only many persons in the agricultural districts tried to get into prison, "as they were much better taken care of, and had no fear of it whatever,"\* but that in the case of ten men, convicted of arson at the Gloucester winter assizes, and sentenced to six years' penal servitude, several made distinct statements that their object was to obtain that sentence, as they should thus learn a trade and get plenty of money.†

The labour preferred by the convict was selected, under pretext that it was more reformatory, because it engaged the goodwill and attention of the men to a greater degree, though, undoubtedly, the real cause was the fear of provoking them to insubordination; and as the emoluments of the warders depended, as we have seen, on the good conduct (as reported by themselves) of the prisoners under their charge, these reports seem not

\* Sir R. Mayne's evidence before the Committee of the House of Commons.

† Letter to the Committee of the House of Commons, by Captain Cartwright, then Governor of Gloucester Gaol. Mr. J. Smith, Governor of the prison at Edinburgh, stated in his evidence that he could only remember two instances in which the convict dreaded to return to penal servitude. It was quite common for them to speak with jests of the light work and good rations.

unnaturally to have been far more favourable than was warranted by truth. Indeed, the G. and V. G. (good and very good) predominate to such an extent in the book, and are so frequently applied to the very men who, in 1862, were the leaders in the most ferocious outbreaks ever known in prison annals,\* that it is impossible to account for so strange an anomaly, except by the supposition that bodily fear and pecuniary advantage led the warders to gloss over many offences of a serious nature. Indeed, the prison directors acknowledge that the dread of such attacks not unfrequently influenced the warders in their reports, many of the convicts being such desperate ruffians that the officers thought it wiser to look over their offences than to expose themselves to their vengeance.†

It might have been supposed by superficial observers that treatment so lenient would, at least, succeed in keeping the convicts in good humour and softening their brutality; but they know little of human nature who conceive that mere indulgence, however great, especially if it is once attributed to fear or weakness, has a softening or ameliorating influence on the mind. Assaults on the officers were common enough, even in the close prisons, and the very slight punishments with which they were visited were not likely to prevent the renewal of the offence. But these isolated cases, though they cost the life of several valuable officers, sink into insignificance beside the fearful outbreaks which dis-

\* Out of the 850 rioters concerned in the last disgraceful outbreak at Chatham, 697 were in the first class, 640 good or very good, 73 exemplary.—*Report of the Director of Convict Prisons*, 1864.

† Report 1,238, 1,239, before the Committee of the House of Commons.

graced the public prisons of Chatham, Dartmoor, and Portland, in 1861 and 1862. In the first, the convicts succeeded in overpowering the warders, whom they drove into the yards, with threats, that if they resisted their lives should be the forfeit, and being complete masters of the prison, set fire to it in several places; nor was it till a thousand troops summoned from the neighbouring garrison had charged them, that the infuriated ruffians were driven back to their cells, after destroying property to the value of above £1,000. At Dartmoor the most serious disturbances also took place, and the lives of several officers were sacrificed. At Portland, one daring ruffian, in pursuance, it was believed, of a preconcerted scheme, jumped on the table in the mess-room, made a violent harangue to the other men, and, dashing his dinner among them, roused them to an outbreak which was likewise suppressed only by military force.\*

Many isolated cases of murderous attacks on warders occurred even in 1863 and 1864. "Who would suppose," observes a writer, whose work on crime and criminals has attracted great and deserved attention, "who would suppose that the mutineers here spoken of are criminals *imagined* by the authorities to be in the way of reformation, and that most of them are probably exemplary prisoners, with the daily mark of 'very good'?"†

When we contrast these scenes with the cheerful

\* "It appears that, in consequence of the communication of the convicts with the free labourers in the dockyard, newspapers had got into the prison with accounts of the late disturbances at Chatham, in which the prisoners were upheld and written about in such a style, that they fancied themselves heroes, and looked on the officers as tyrants."—See *Captain F. Powell's evidence before the Royal Commission*, 1862.

† See "Our Convicts," p. 161.

obedience and perfect discipline of the Irish convicts—not only in the intermediate prison at Lusk, where it is not found necessary to resort to any save moral restraint, but even in Spike Island while yet in the earlier stages of discipline—we need no further commentary on the comparative merits of the English and Irish system.\*

It seems tolerably evident that men so very far from reformed should have been let loose on society at as late a period as possible, and, if discharged at all, should be subjected to the strictest surveillance.

But, as we have seen, a system diametrically opposed was adopted, distinct orders being given to the police *never* to interfere with the ticket-of-leave men, lest it should injure their prospects of gaining a livelihood, though nearly ten years' experience on the other side of St. George's Channel had sufficiently proved the contrary. Meanwhile licences continued to be dealt out with the same utter recklessness as to consequences, and nearly 3,000 convicts were annually discharged, at least half of whom it is computed—some say more—relapsed into their former courses. While the hulks continued to pour out their hundreds of finished scoundrels, and the county gaols their multitudes of unreclaimed malefactors of every description, thus forming an accumulation of old offenders, it is not very surprising that crime should have reached a height absolutely appalling. In the winter sessions of 1862 (November and December), at the Old Bailey, the number of convictions for murder alone amounted to twenty, without including those who by verdict of manslaughter had escaped the last penalty of the law, in cases where it was difficult to distinguish it from foul and wilful murder. This would have given sixty capital

\* "Journal of a Third Visit to the Convict Prisons, &c., of Dublin," by the Recorder of Birmingham and his daughter.



convictions per annum, one-half more than the highest average reached within the last twelve years.

The offences against property, and assaults of all description, show a startling increase. The robberies with violence, in the metropolitan district, had risen from 32 in 1860 to 97 in 1862; the burglaries, from 179 to 259. In London alone, 24 persons were convicted, in the single month of November, for savage outrages, in many of which the violence employed endangered life. Undoubtedly, the licence-holders were not the only actors in this atrocious drama. But when we find, on reliable evidence, that a large portion of the outrages—which, to use the words of a well-known French writer,\* made traversing the streets of London, in the nineteenth century, as hazardous as it formerly was to cross the mountains of the Sierra Morena—were perpetrated by this class; that a considerable number, as was well known to the police, were living by the commission of crime,† it is not surprising that a general panic should have seized the community, and a universal outcry be raised against a system the results of which, as carried out in England, were so dangerous to person and property, and a petition be presented to demand its abolition. Accordingly, in February, 1863, a royal commission was appointed to inquire into the working of the Act relative to transportation and penal servitude. Startling indeed were the revelations brought out; not less startling the contrast between the systems in operation in the two kingdoms. The force of truth prevailed. The superior excellence of the Irish was admitted, and the principle on which it is founded endorsed—viz, that a remission

\* "Lettres sur l'Angleterre," par Louis Blanc.

† Evidence of Sir Richard Mayne before the Commission of the House of Commons, 1863.

of sentence must be earned by long continuance in well-doing, not claimed as a right after the completion of a given term of imprisonment.

In July, 1864, a new Act was passed, by which the minimum of penal servitude is raised from three to five years; while if previously convicted of felony, the prisoner cannot be condemned to less than seven. Misconduct is to be punished, as before; but mere obedience and good behaviour, though *an indispensable condition to a ticket of leave*, is not to count in obtaining it. It is by industry alone that a partial remission of sentence can be secured. A portion of the mark system, originally devised by Captain Maconochie, whose services in the cause of penal reform have only lately begun to be estimated at their just value, and which has been introduced with such admirable effect by Sir W. Crofton in the Irish prisons, is now partially adopted in England.

Idleness and undisciplined passions being the chief causes of crime, it is believed that habits of regular industry and of self-control, once acquired, will, by imparting the taste for labour, and enabling the convict to gain an honest livelihood, be the most efficient agents in preventing a relapse into crime. This argument, though sound in many respects, is not quite conclusive.

Mere habits of industry, however valuable, will fail in reforming the criminal, unless sustained by real moral and religious reformation; and it is but a short time ago that mention was made of a convict who had been the most laborious of men, while under a long sentence of penal servitude, but whose first step, on leaving prison with a considerable sum in gratuities in his pocket, was to purchase a most expensive set of housebreaking tools.\*

\* Evidence of the Governor of the Gaol at Edinburgh: Committee of the House of Commons, 1863.

Indeed, according to the testimony of one well acquainted with this peculiar class, the prisoners who are most dangerous to society are not only the best conducted, but often the most industrious while in prison.

Some allowance must also be made for the difference in bodily strength and powers of regular and continued labour, which are not alike in every organisation. Still, the element of industry is most valuable in the reformation of offenders, and the principle can scarcely be too earnestly enforced.

Other changes of considerable importance have been effected. The diet has been reduced, though not yet perhaps sufficiently, as it is still better than the honest labourer can command. The beds and bedding have been *put on a level with those of the soldiers in the guard-room* (what a comment on their former luxury !); the gratuities cut down to one-eighth, and given on a much better plan ; yet there has been no riot, no mutiny, few assaults ; and altogether a healthier tone of feeling begins to prevail among the convicts.

In the public work prisons the "mark system" has been introduced with decided success, and Colonel Henderson affirms that it is fully understood both by convicts and officers. The men, feeling that they are, to a certain degree, the arbiters of their own destiny, and having no longer any hope of remission, save by hard labour and good conduct, have a stimulus to exert themselves, and to behave well.\* A variety of other reforms scarcely less important have been introduced. The warders' gratuities are abolished, and their salaries increased ; the prison is divided into three separate portions

\* "Report of the Directors of Convict Prisons," 1864. "It is very satisfactory to us to state its success has far exceeded our expectations."—Page 8, Report, 1864.

by a strong party wall, so, in fact, as to resemble three prisons rather than one. Thus, instead of having nearly 1,000 convicts massed together, and rendered insolent by the consciousness of their force, the officers have little more than 300 under their control. A range of punishment cells apart from the rest of the prison has been lately erected for incorrigible offenders, who are previously degraded to the penal class, and who are placed here in safe durance, instead of having to be sent back to Pentonville or Millbank, as before. "The general demeanour of the men," observes Colonel Henderson, "is very different from what I saw four years ago. The slight but significant swagger and the obtrusive indolence are gone, and yet there is no sullenness in the obedience thus rendered. I could see, too, with my own eyes, that the convicts now work harder."

The men in the highest classes are trusted with rather more liberty than the others; but the colonel informs us this graduated increase of freedom is not, as it ought to be, the reward of superior industry and good conduct, but is arbitrarily bestowed. When, however, the system is fully developed there is to be a special class, answering in some degree to the Irish intermediate. "I came away, however," adds the colonel, "more convinced than ever that this part of the discipline should be carried on in a different establishment. The separation of the men, advanced to an intermediate stage, in Ireland is always complete, and, together with the change of place, emphatically marks his progress to the prisoner himself, and is highly prized."

Is it not singular that this emphatic testimony, supported as it is by that of every enlightened and dispassionate observer, above all by the admirable result of the system of intermediate prisons on the other side of the

channel, that this, *the keystone of the arch*, should still be left wanting? But the most important change in the penal law in England is the adoption of that very portion of the Irish system which had been so long and obstinately rejected—viz., supervision.

By the Act of 1864, the ticket-of-leave man must report himself to the superintendent at the head of his district three days after his arrival at his station, and continue to do so monthly till the sentence has expired, on pain of forfeiting his licence. The practice of taking photographic portraits of prisoners, which had been generally adopted both in England and Ireland (the photographs being forwarded to the police and prison authorities), renders recognition easy and escape difficult. The fear so long entertained, that the power lodged with the police might be abused, and the convict thus prevented from gaining an honest livelihood, has hitherto proved completely fallacious. During the very first six months after the new Act came into operation, a marked improvement in the conduct of the ticket-of-leave men, and a certain diminution in crime, was apparent.

In London the plan worked most successfully. At Birmingham Mr. Glossop, head of the police, stated that most of the holders had reported themselves regularly, and although this did not appear a positive security against relapsing into crime, since it must be confessed that several of these very individuals had returned to their former courses, still, out of 83 persons discharged on ticket of leave, 53 appeared to be going on well, many having found employment with their former masters, and others obtained it elsewhere, either by their own efforts or those of the police. The evidence of Major Greig, head constable of Liverpool, was to the same effect. Of 119 licence-holders, 83 continued to report

themselves regularly, to bear a good character, and remain steadily at work, which they found no difficulty in procuring, though their real position was invariably made known to their employers. Of the remainder, 6 relapsed into crime, and 29 remained unaccounted for—a proof that the system, as carried out at present, is far from being as efficient as could be desired. From August, 1864, to July, 1865, we learn that, in the same city, of 139 convicts who had reported themselves, 8 had been committed for fresh offences, 14 had their licences revoked for misconduct, 18 or twenty had been lost sight of, the remainder were doing well. The October criminal returns of the same year were not so favourable; but those of September 29, 1865, by the inspectors of constabulary, General Cartwright, Colonel Woodford, and Captain Willis, are decidedly satisfactory. From these we find that in the eastern counties, Midland and North Wales district (the only one of which full statistics are presented), between October 1st and February 1st, 386 ticket-of-leave men had regularly reported themselves, 34 only had broken the conditions of their licence—a small per-centage in comparison with that of previous years—and 51 had been re-committed; while in the south of England and South Wales district, though a general statement only is given, it is tolerably clear that the Act is working well, that large numbers of the convicts liberated under its provisions were in active employment, and that, with few exceptions, they were reporting themselves regularly.\*

With that strange absence of system which is the peculiar characteristic of the English as a nation, no uniformity whatever is observed, either in the proceed-

\* Report of the three Inspectors of Constabulary for England and Wales for the year ending Sept. 29th, 1865.

ings adopted to prevent men migrating from one town to another, without acquainting the police with the fact, or in the measures resorted to when they break their licence. In consequence of this, and the want of intermediate prisons, the importance of which cannot be too strongly insisted on, the per-centage of re-commitments in England still continues larger in proportion than that in the sister kingdom, though the difference is far less than exists in the relative commitments.\* Of 125 persons brought before the Recorder of Birmingham, at the general quarter sessions of October, 1865, 60 had been once previously convicted. Of these, three had been once sentenced to penal servitude, and two twice.

Still this was an improvement on October, 1864, when, out of 128 prisoners, 68 had been already convicted, and all *save* 7 of felony.†

Of the 2,560 male convicts received in the convict prisons in 1864, 560 had been previously convicted, while the re-commitments to county and borough jails amounted to 45,190, of whom 20,780 had been above five times sentenced to different terms of imprisonment, and 3,975 above ten. In the year just elapsed (1865), we perceive a decrease in the number of offenders, both male and female, not only in convict but county prisons; while the re-commitments continue pretty much the same in both sexes.

As we have already seen, it is not rare for both men and women to be brought before the bar twenty, thirty, or fifty times. If the plan so successfully adopted at Liverpool by the head constable, Major Greig, and recommended by General Cartwright in his last report,

\* In the latter the proportions convicted at assizes and quarter-sessions in Ireland is 6·89 per cent. in England, and Wales 14·9 per cent.

† "Judicial Statistics," 1864, p. 31.

were universally put in force—if in every large town an officer were especially appointed to carry out the duty of supervision—if a system of intercommunication among all the bodies of police in the kingdom were established, and photographic portraits of those who have broken the conditions of licence circulated far and wide, the success of the new system would be greatly augmented.

The plan adopted by Major Greig in selecting a man of known probity and kindness to visit the prisoners at their own houses or elsewhere, to make inquiries as to their occupations and associates, to encourage the really well-disposed in obtaining employment, and report those who give justifiable suspicion to the detective department, is well worthy of general adoption. Major Greig had evidently the admirable example of Mr. Organ before his eyes, and his success has been commensurate with his efforts.

Imperfect as is the organisation as it stands, it is most valuable as the commencement of a new and better era. Machinery has come into action, by which the deterrent and reformatory elements are in a certain measure combined. At the same time licence-holders have discovered that the supervision of the police is not necessarily hostile, and we are assured that those who really wish to pursue an honest calling welcome it as a protection against their own weakness, and the temptations and dangers which beset them. "A ticket-of-leave man, indeed," to use the language of the eminent Recorder of Birmingham, "when his licence becomes what it always ought to have been—a testimonial that the holder is a person who has given evidence of his earnest desire to do well, and of his possessing the requisite qualifications for pursuing an honest course of life, will find the head of the police in his district a protector against ill-founded suspicion, to which an ex-convict is naturally ever ob-



noxious. And when, in addition to this, he may refer to the police for a certificate that he has continued to deserve the remission which has been granted him, he surely must thus obtain facilities for procuring employment, which will constitute a new and valuable privilege; while, on the other hand, his consciousness that any breach of the conditions on which he holds his licence, will ensure his being deprived of liberty, must give additional force to his good resolutions. The interval, then, between his discharge on ticket of leave, and the expiration of the sentence pronounced on him by the judge, is made a season of regulated responsibility. It is an additional stage of probation, furnishing motives for good conduct, which will only cease when, such probation being fully accomplished, he regains the footing of his neighbours, who have never fallen into that miserable adversity which is the offspring of crime.

With respect to female convicts, much has yet to be done. The report of the Director of Millbank prison states, that of the 468 received in 1864, 23 were re-convicted before the expiration of the former sentence, and 91 after, making a total of 114, a decrease of 13, however, as compared with 1863; but 25 licences had to be revoked for misconduct, while in 1863 there were but 15.\* From the report of the Inspector-General of Prisons for England and Wales the same year, it appears that, while female *commitments* were 2·6 below that of the men, the *re-commitments* were 47·3 to 35·3; that while of the male 53 per cent. only had been once previously committed, of the former there had been 69½ per cent.,† and that the proportion of women 10 times committed

\* Still there is a diminution of 70, as, in 1863, the number was 644.—*Report of Directors of Convict Prisons*, 1864.

† "Judicial Statistics," 1864.

was nearly sixfold that of the other sex.\* It is not long since a girl of nineteen was brought to the bar for the *twentieth* time. Each transgression in itself was not of a very grave character; but it is easy to conceive how fatal so persistent a course of misconduct must prove to any nature, more especially a woman's. The per-centage above-mentioned cannot, indeed, be regarded as presenting the real amount of female relapses into crime, as the police declare the difficulty of fixing women's lineaments in their memory sufficiently to recognise them, after the lapse of a few months, is almost insurmountable; and, as it is only within a brief period that photographs of female licence-holders have been furnished, it is to be feared the calculation we have furnished is very far below the truth. The subject of female convicts is one of peculiar difficulty and delicacy, for women once perverted are still harder to reclaim than men, owing partly, as is urged by a philanthropic writer,† to the fact that being brought to a public tribunal, only after a long course of vice and very aggravated offences, they are, as a class, more morally degraded, more thoroughly hardened, than male offenders in a similar position,‡ partly to the excitability natural

\* Of 201 persons committed in 1864 between 20 and 30 times, 162 were females; of the 143 committed between 30 and 50 times, 127 were women; of the 90 committed more than 50 times, 84 were of the same sex (one having been brought to the bar no less than 194 times); that of the total number who had undergone more than 20 commitments, 373 were women, but 61 men. The number of re-commitments of both sexes shows an increase, over that of 1863, of 153.—*Judicial Statistics*, p. 29.

† Miss Carpenter.

‡ During the year 1864, 468 female convicts were received in the convict prisons, being an increase of 31 over those of 1863: of these 23 were re-convicted during the currency of a former sen-

to their sex, which in the uneducated often reaches the very verge of insanity, and partly to the difficulty of setting them to really hard work, that great tamer of the daring and the depraved. Their intellectual powers are generally nearly torpid, while habits of intoxication and illicit intercourse with the other sex—that most fruitful source of corruption in women—have developed their passions to a degree, which in many cases baffles every hope of restoring them to the path of virtue. “The Revelations of a Prison Matron,” published four years ago—a work accepted as an authority, and cited as such before the Royal Commission in 1863—disclosed a degree of almost nameless wickedness in female convicts, absolutely appalling, though indeed some hints had been given of the same state of things by Captain Chesterton, so long Governor of Coldbath Fields, and the Chaplain of Millbank in his report of 1862. Even in the penal classes of the male prisons, we are told, there is not one man to match the worst inmate of the female prisons—“most of them are desperately wicked, and some so wholly and entirely bad, that even the chaplain gives them up in despair;” and this melancholy description is confirmed by the evidence of Captain O’Brien, who had the supervision of the female convicts from 1849 till within the last twelve months.\*

That the system itself, as described in the work above mentioned, may have had something to do with the insubordination of the prisoners, is not unlikely; for since it has been modified, a decided improvement in this

tence, and 91 after its expiration, making a total of 114 re-convictions—a decrease, however, of 13 as compared with 1863; but 23 licences were revoked as compared to 18 in 1863.

\* See Captain O’Brien’s evidence before the Royal Commission, 1863, 2, 1, 6, 3, 4.

respect, at least, has been perceptible. Indeed, when we hear of the *absolute necessity* of coaxing and humouring certain among the women (of course the most violent and dangerous), because there is *no other way of keeping them quiet*; when we are told that, even while confined in the punishment cells, one of the prison matrons is compelled to keep watch and ward over them the livelong night, to address them every hour, and *wait for a reply*—thus affording them an ample consolation for their confinement, in the pleasure of tormenting their officers; when, above all, we find that the rugs and blankets, which these furies tear up in their wild fits of passion, are *regularly replaced by new ones*, we are not much surprised at discovering that so little is achieved, in the way either of discipline or reformation.

It seems strange that it should never have occurred to the minds of the authorities, either then or since, that if the punishment cells were in another part of the building, where the stamping, swearing, and shrieking, with which the inmates beguile their time, and which are simply intended, as they themselves declare, to torment their officers, could reach no ears save their own,\* these exhibitions of unbridled temper would be less frequent; and if those who tear up their blankets were left to the natural consequences of their conduct, by sleeping on the bare boards, the practice would soon cease altogether. On the other hand, if cutting off the hair—at least, if it could be kept clean—were reserved as a punishment for violence and disobedience (though the operation is not repeated, so that the locks have generally grown to

\* The plan of cells completely separated from the rest of the prison has been proposed, and will probably be carried into execution; they are now stronger than they were, and the windows have been removed.

a tolerable length before the convict returns to the ward), much useless irritation might be spared. Might it not be as well, too, if the prisoners, in their moments of leisure, were permitted to do openly what they will contrive to do surreptitiously, namely, to manufacture little fancy articles, the materials to be purchased from the gratuities accumulating for their benefit on their discharge, and the proceeds to be given to some charity, the objects of which they fully understand? This would evoke kind feelings in such as still retain something of the womanly element about them, and there are few in whom it is utterly extinct.

Within the last six months a considerable modification has been effected in the management of female convicts; the system of classification has been changed. Every convict must pass through three stages, the probationary, the third, and the second, before she can be eligible for promotion to the first, or the refuge class, and it is there only that a ticket of leave is obtainable.\*

\* Probation class nine months, during which they must earn 1,620 marks by good conduct and actual work; third class nine months, during which they must earn 1,620 marks as above; second class nine months, during which they must earn 1,620 marks as above, after which they will be eligible for promotion to the first class. It will be seen that no woman can be recommended either for the refuge class or for discharge until she is in the first class. Third: Every convict is thus required to remain in the probation class for a minimum period of nine months, reckoned from the date of conviction. Fourth: A prisoner detained in the probation class for misconduct cannot be promoted to the third class until she has earned the additional number of marks forfeited by her misconduct. Fifth: If her conduct and industry are good, she will be promoted to the third class, and so on to the second, remaining in each a minimum period of nine months. Sixth: The remainder of the term of her imprisonment will be spent in the first class, unless she is promoted to the special class, or degraded to any lower class.

The scale of diet, which was far too high for women engaged in sedentary occupations, has been somewhat reduced, though still insufficiently,\* with no bad result to the health of the women, and decided benefit to their general conduct and demeanour. The gratuities are likewise diminished.† The most important improvement, however, is the adoption of the mark system, and the acknowledgment of the principle that every remission must be won by the efforts of the convict herself. The time each woman, under sentence of penal servitude, is to pass in prison is now represented by a certain number of marks, to be earned by actual labour performed, and good conduct; for though the latter does not *count* in obtaining them, yet, as without it, no

Seventh: These classes will be kept quite separate from each other in the prisons.

#### \* ORDINARY DIET.

Breakfast: Three-quarters of a pint of cocoa.

Dinners: Meat four times a week—three ounces cooked, and three-quarters of a pound of potatoes, one day bread and cheese, one day pudding, one day soup.

Supper.

Bread, sixteen ounces per day.

#### FIRST CLASS.

Meat every day.

#### PENAL CLASS.

Breakfast: Porridge, one pint.

Dinner: Potatoes, one pound.

Supper: Porridge, one pint.

Bread: Sixteen ounces per day.

#### PUNISHMENT.

One pound of bread per diem and water.

† In the probationary class there are none; in the second and third, two shillings a week, to be earned by marks if their good conduct shows they deserve it. In the first class the gratuities are four shillings per month, and, if special circumstances render it desirable, a further gratuity not exceeding £2 is given them on their discharge.

remission can be granted, disobedience or infraction of rule entail a forfeit of the desired privilege, and thus retard the moment of liberation.

As far as it is possible to judge from so brief a trial, the plan seems tolerably successful. The women having now a motive for good conduct and exertion, since their future condition depends in a certain degree on themselves, behave better, and work harder.\* At Bristol, all the washing for that prison and the male department at Millbank is done by the female convicts, and no machinery is used except a wringing machine and mangles. The women thus employed are allowed an additional ounce of meat per day, and a lunch of bread and cheese, and the washing itself is deemed a privilege.

The new system, it is hoped, will produce another valuable result. The dislike manifested by many of the women to every species of instruction, and the insubordination in class, have often been commented on by prison chaplains and matrons.† Not only was there no motive to induce them to study, but as the sum allowed for work, varying in amount according to the quantity performed, was diminished by the time occupied in schooling, the latter became absolutely abhorrent to them. Under the existing regulation, on the contrary, any woman reported for idleness or misconduct in class is liable, in addition to any other punishment, to be fined a number of marks proportionate to the offence. Those who are unable to read or write on quitting the third class forfeit their

\* On a recent visit to this prison I perceived a decided improvement in the general tone of the female convicts; the dark cells had not one.

† The number of women who receive instruction with reluctance is greater this year than before.—*Superintendent of Fulham Refuge*, 1864.

gratuity, which is restored only when they can do both ; and no convict, save under special circumstances, can be promoted to the first class till she has mastered these elements of education. Thus an incentive is presented, which it is believed will quicken the women's perceptions, and arouse their interest. To produce this result, however, some change must be introduced in the mode of tuition. Even at Millbank, during that period of separate confinement which is supposed to be specially devoted to moral, mental, and religious instruction, the women are taught three times a week only, for thirteen minutes at a time, in their cells, while in the associated prison at Brixton the lessons are given once in eight days to classes of fifty at a time. Such an arrangement needs no comment.

In fact, despite the improvements in the system we have indicated, and the diminution of violence and insubordination which have attended them, the result, so far as the real object, the reformation of the prisoners, is concerned, is less encouraging than might have been anticipated. So long as they are in separate confinement, many seem really brought to a sense of their guilt, and actuated by a sincere desire to amend their ways ; but within a very few weeks of their removal to the associated classes, these better feelings too generally disappear, and are succeeded by a levity and indifference most painful to witness, as proving either how little the period of sequestration, with all the care and teaching so sedulously bestowed by chaplains, prison reader, and lady visitors, has succeeded in effecting any *real* change of heart and spirit, or how impossible it is for women of the criminal class to be brought together, even after long months of moral and religious training, without inevitably and hopelessly contaminating one another



afresh. We believe the latter of these deductions to be the true one. There is, indeed, only a choice of evils. Cellular incarceration, however mitigated in its character (and here it is as much so as is compatible with its existence at all), cannot be continued above a certain period without injury to mind and body. The convicts, female as well as male, must be gradually accustomed to the society of other human beings before being thrown once more on the world, with its temptations and perils; but since, unhappily, no society can be open to these wretched women in the prison walls, save that of their fellow-sinners, and as this intercourse is and must ever be fruitful in corruption, some effort should be made to attenuate the evil. During the hours the prisoners are permitted to converse (two hours and a half for the second, and three hours and a half for the first associated class), one or two of the matrons might read aloud by turns, as is done in the male prisons of Ireland, and in some of the penitentiaries in France and Belgium, selecting a work at once moral, interesting, and instructive, calculated to awaken the attention, touch the sympathies, and move the hearts of the listeners; and the rest of the time might be pretty nearly filled up by discussions and observations, arising out of what they have heard. Thus their minds would gradually become stored with better objects on which to dwell, and their thoughts weaned from the guilty recollection of those scenes of vice and profligacy which return with renewed force so soon as they find themselves once more in the company of their former associates, and which are invested with that strange, unhallowed attractiveness they do undoubtedly possess for those who are inured to them. But to carry out these schemes a larger and a superior class of officials is required. The matrons are on duty for eighteen hours

every alternate day, while the prisoners work only eight and a half; and when we remember the painful, wearisome, and even perilous nature of those duties (for assaults on the officers in female prisons are not even now unknown, and until lately were by no means unusual,\* and male warders are employed only when the violence of the convicts renders their assistance indispensable), we cannot but feel that the constant strain on mind and body is too much for either, and can only wonder that so many respectable women should be found willing, for a very trifling salary, to undertake a task so onerous and so painful.

Within the last two years Parkhurst has been devoted to the reception of female prisoners, principally Catholics. There school instruction is given every afternoon in the probationary classes, but in the association wards the old system of teaching only once a week still exists. An advanced class of twenty-five women has been formed, who are employed in out-door labour in the grounds and roads of the prison, under the supervision of one male and one female officer; a plan which is attended with beneficial results, and it is sincerely to be regretted that it cannot be tried at Brixton, where hard work would be so valuable an auxiliary to tame down the more obdurate and insolent of the prisoners. The respectability of the persons with whom the prisoners are permitted to correspond is more carefully investigated than formerly. The general religious and moral condition of the prisoners has undergone little variation, but on the whole the accounts are somewhat more hopeful, and from personal investigation the writer has reason to believe they are correct.

Let the system, however, be improved as it may,

\* Captain O'Brien and Dr. Grey before a committee of the House of Commons, 1863.

unless some test of reformation is furnished ere the female convicts are once more thrown upon the world, few will be inclined to receive them in their households, or, indeed, to afford them employment. This test might be supposed to be provided by the Fulham Refuge, whither a certain number of women, who have behaved best, are removed, after the terms prescribed at Millbank and Brixton are completed. But as the inmates are under constant supervision, the door kept locked and bolted, and no room whatever left for that limited exercise of free-will and self-control which is the sole criterion of the reality of reformation, it is not surprising that the public should as a rule decline taking servants from this refuge, especially as, despite the care, skill, and vigilance of the superintendent, outbreaks are not uncommon, at least amongst the prisoners in the probation class.\*

Intermediate prisons for women are not easy to establish; but refuges, under the management of sisterhoods, or private individuals devoted to the task, similar to those in Ireland, and of which a few even now exist in England, might be increased and multiplied. That success attends these asylums, both Catholic and Protestant, in the sister kingdom, is attested by competent and unbiassed witnesses.† The women exhibit the most

\* In 1864, December 17th, there was rather a serious disturbance, which, however, was soon quelled. The number of females received in that year was 133; of these 62 were restored to their relatives, 37 placed in the hands of the Prisoners' Aid Society, and 26 obtained situations. Still we are afraid few persons are disposed to employ female convicts from Government refuges, however exemplary they may have been in prison. Employers will not come to Government refuges for servants.—*Report of Directors of Millbank*, 1864.

† Visit of the Recorder of Birmingham and his daughters to the convict gaols and refuges at Dublin, 1861.

willing obedience : behaving well, and working hard. There is no difficulty in obtaining situations for them : many are satisfactorily placed out, and others emigrate. The necessity of long sentences, however, is particularly dwelt on, both by Sir Walter Crofton\* and by Miss Kerwin, or Sister Magdalene, the exemplary Superior of the Golden Lane Refuge.

"The prospect of a short sentence," observes the latter, "does not deter an habitual offender from a life of crime ; but when sentenced to seven years' imprisonment, she gets subdued, and begins to 'lay down her mind to be good,' as they express it." †

One institution of this sort has been for some time in operation in England, the Royal Philanthropic Manor House, established in Kensington, the directors of which offer to receive twelve women licence-holders, and could a promise of co-operation from Government be obtained, many others would be opened. One has recently been established, under the enlightened direction of Sir W. Crofton, the Carlisle Memorial Refuge, ‡—so called in memory of that excellent nobleman, ever foremost in the cause of humanity. It is on a small scale, certainly. It will contain at once forty-eight inmates only ; but, in the opinion of those best acquainted with the class in question, this number is still larger than is desirable, in a reformatory point of view, as, however sincerely the women may repent their past courses, and resolve to amend them, they can scarcely refrain, in their hours of leisure, from talking over them, and such communication, being always fraught with evil, should, as much as possible, be limited. The women are to remain six months

\* "Observations on Irish Prisons."

† "Letters to the Secretary of the Penal Commission of 1863."

‡ 6, Queen Square, Bloomsbury.

in the refuge, and if during that period they behave well, their ticket of leave is granted them ; they are then sent out to service (places being provided for them by the directors and the lady superintendent). During the last month or six weeks of their detention, a certain degree of liberty is allowed. They are permitted to open the street door, to go on messages, and even pay small bills, and thus their honesty and self-control are put to the test, before they are again set at liberty. The number received during the single year the refuge has been established is 98 ; of these, 33 have obtained situations, and *one* only has been re-committed for a fresh offence. Through the clergyman of the parish, who devotes great attention to the subject, constant communication is kept up with the women, after they have left the asylum ; and it is hoped and believed that some at least have reformed, both in heart and life. This is a great deal for a class so depraved, as hitherto to be deemed all but incorrigible. The Catholic Refuge at Hammersmith is likewise working well. Important changes are being likewise made in another direction. In the last session of Parliament an Act was passed, which came into force Feb. 1, 1866, for the amendment of the law relative to county and borough prisons. Most of these were still in an unsatisfactory state, though some few had been brought into a greatly improved condition by the efforts of Sir W. Crofton—who, after his retirement from the directorship of the Irish prisons, had devoted himself gratuitously to this useful task—and of one or two other intelligent and benevolent individuals. The worst of those remaining are to be altogether disused. Strict separation of the sexes (too often neglected) and hard labour is to be enforced ; greater uniformity to be introduced in diet and discipline, in both of which the

strangest incongruities prevailed. In one prison, hard labour meant *one* hour on the treadmill ; in another, *two* ; in a third, *nine*. In certain gaols, the diet was so low, as to be incompatible with health ; in others, meat, pudding, and vegetables were regularly distributed every day. Henceforward, these anomalies will be corrected. The labour is to be really hard, requiring severe exertion ; the diet sufficient for health, but not more than sufficient, proportioned to the nature of the labour required and performed.\* At the same time, a certain latitude is left to the visiting justices to make any additional rules they may deem necessary—a permission which, indeed, could scarcely be denied, as a large portion of the expenditure is raised by the rates on local property, and controlled by these magistrates, so that they are not unnaturally jealous of any government interference with their management.† But there still remains much in the penal code demanding amendment. Why the privilege of abridging their punishment should be granted to men condemned for desperate crimes, and denied to minor offenders ; why the former should, from the very commencement of the sentence, be placed on full diet, and the latter on a very spare one, sometimes for the whole term of their incarceration ; why the hardened felon should at once be permitted to work at an easy and pleasant trade, and the less gentle delinquent condemned to *hard labour*, is really difficult to understand. Let us

\* Not merely irksome labour, but labour requiring severe exertion. Ordinary oakum-picking, or mat-making by hand, would not fulfil this condition ; while rope or oakum-picking, and mat-making with a loom, may fairly be considered as falling within the description.

† Evidence of the superintendent of the Glasgow police before the committee of the House of Commons, 1863.

hope this inequality, at once so unjust and so impolitic, will soon disappear from the statute-book. Another still more important change is imperatively demanded—viz., the abolition of those short sentences, too brief to admit of reformatory appliances being exercised to any good purpose, and serving only to inure the prisoner to disgrace and crime. There is a class of delinquents whose lives are divided between offences and punishment; who leave the prison walls only to return to them forthwith; who, to use the language of a competent authority, “have gone through the curriculum of all the courts, police, sheriff, and judiciary, and who have committed every sort of offence that can be conceived.”

It is by short and repeated imprisonments that the most daring class of convicts is created. Among countless instances we will cite the case of a man who, from October 28th, 1850, to April 5th, 1855, was sentenced to no less than thirteen terms of imprisonment, varying from seven days to three months. During the four following years, namely, till September 5th, 1859, he was again condemned four times; the last sentence was *three* years' penal servitude. Three months of his time being remitted, he was discharged the end of May, 1862. The 23rd of July following, he was again brought up before the bar for another offence, which entailed three months' imprisonment; and scarcely was he discharged the November following, when he committed a burglary, accompanied with atrocious violence, for which he was condemned to penal servitude for life.\* Nor can we perceive any great improvement in the criminal annals since that period. Among the offenders brought before the court during the last Birmingham sessions, was a young man of twenty-five, already known under four

\* Police Returns, 1863.

different aliases, who had been committed no less than ten times. The first conviction, in 1851, was for vagrancy only, but the rest were for stealing, assaults, and the last for attempting to commit a felony. Of the 39,697 persons summarily convicted or sent for trial during the past year, 1865, by the metropolitan police, 362 had been convicted twice; 35, three times; 21, four; and 5, six, seven times, and upwards.

As for women, the number of their commitments, we know, are legion. Indeed, while during the last two years the commitments of both sexes have diminished two and a-half per cent., the re-commitments have risen almost in the same ratio, showing an increase of 155 above those of 1863; and although this is undoubtedly owing in part to the growing efficiency of the police, still even this does not fully account for a fact so sad and so significant. And after all, can it be truly said that crime is decreasing, when we learn that the number of felonies committed within the metropolitan police district affecting property, in 1865, amounted to 16,077, for which 2,187 persons were tried and re-convicted?

Under these circumstances it is impossible not to revert to the proposition already mentioned in the preceding article, originated by Captain Maconochie,\* suggested anew by Mr. Frederick Hill, when Inspector of Prisons, in his able work on "Crime," and embodied in a clearer and more comprehensive form by the Recorder of Birmingham, fourteen years ago;† a proposition of which

\* If he did not become good with one such punishing, he would become better with a second, better still with a third; progressively he would become an altered man, or he would be shut up by his own fault for life, for I would show extreme severity to frequent re-convictions.—*Gardiner before the House of Commons.*

† Hill on "Crime," 1846. Many of the reforms since adopted



painful experience proves more and more the necessity, namely, that of *permanently incapacitating by imprisonment* malefactors who have given conclusive proof that their being at large is incompatible with public safety. "The maniac," Mr. Hill justly observes, "is kept in a prison (called an asylum) under similar conditions, guarded against escape either till restored beyond all doubt to sanity, or removed by death. If innocent misfortunes may and must be so treated, why not thus deal with incorrigible depravity?" \*

The objection to the project—viz., the danger of abuse to which it is liable—has been already noticed as by no means inconsiderable; but when we find that men whose whole lives have been devoted to the reformation of the guilty and the defence of the helpless and unprotected, consider long terms of imprisonment, even to perpetuity, as indissolubly connected with, indeed as the *necessary* corollary of, the privilege granted the convict of working out his own liberation, we may venture to believe the dangers attending the plan are far less than at first sight they appear. We must remember that, despite all the efforts made and making in England, despite the improvements in the law and in prison discipline, to which we have called attention, the increased efficiency of the police, and the establishment of reformatories and certified industrial schools, the *master-evil* still subsists in all its force. There is a large body of criminals who live by preying on society. Many of these men have been for years the leaders of gangs of thieves or burglars, before they are

in the penal system were first suggested by this gentleman, brother to the Recorder of Birmingham, in his able and elaborate reports during the twelve years he was Inspector of Prisons, when the subject had received comparatively little attention.

\* Charge of the Recorder of Birmingham.

brought to justice ; and, as late as the summer of 1864, we find that a convict, one of the most daring of modern times, when at length arrested and convicted for house-breaking and for the theft of a will, confessed that *this was the nineteenth* burglary he had committed, the other eighteen having been, of course, attended with complete impunity.

The organisation of the criminal class is marvellously complete. They have a system of things of which the outside world knows nothing. They have public-houses, shops, tradesmen, lodging-houses, private regulations, an upper and lower class—in short, an *imperium in imperio*, by means of which they are enabled to carry out their nefarious practices with great security and success. It is the city of refuge and the training college for all who aspire to the art of professional thieving.\* Crime, too, we are informed, is divided amongst the parties engaged in accordance with their peculiar aptitude. *Put-up men* are those who are skilful in planning robberies. Men of keen observation collect facts, and ascertain what the facilities are. Bold and ready men, good climbers, are employed to carry out the operations when fully arranged. Genteel men examine empty houses as would-be tenants. The instructor and trainer of young thieves and pick-pockets, and the burglar's instrument makers, are mechanics of a high grade. "Thieftom, indeed," as the chaplain of Dartmoor prison informs us, "is a distinct kingdom in the midst of our population." There are places where the crucible is always hot for the reception of the precious metals in any form ; there are others where every kind of weapon and implement of villany may be as readily obtained as knives and forks at respectable ironmongers ; there are gin palaces, beer shops,

\* *Cornhill Magazine*, Sept., 1860. Report, 1862, p. 207.

pawn shops, low theatres, coffee, eating and night houses, wholly devoted to the interests of the dangerous classes.

It is a well-known fact that the systematic corruption of young persons of both sexes is carried on in most, if not in all, large towns in England. Theft is a craft; and one single robbery frequently involves a score or more of persons in its suggestion and execution. One of the chief causes of the perpetuation of crime, is the training of young thieves. The pictures so vividly portrayed by more than one romance writer may be exaggerated; but that the process still continues, or *did* continue, till very lately, in a somewhat modified form, is proved by undeniable evidence. When we find, by the returns of 1864, there were no fewer than 2,292 houses of receivers of stolen goods, the resort of thieves and prostitutes, and 1,392 coffee-houses suspected as such (pretty much the same thing); 47,092 houses of ill-fame, where the most abandoned of both sexes meet to concert their nefarious schemes; that 116,749 of the criminal class (including, it is true, 31,900 tramps and vagrants) were at large; that in 1865, in the metropolitan districts alone, fifteen miles round Charing Cross, there were 5,206 known thieves living by plunder, 6,000 suspected persons, 5,689 abandoned women, almost every one of whom, as is well known, is either a thief or the abettor of thieves; and this calculation, it is believed by competent authorities, is far below the mark;\* when we find all this, we are not sur-

\* Mr. Davis, the Ordinary of Newgate, in his evidence before the Royal Commission, 1863, states that there were regular schools for training boys to crime. They are watched now more by the police than they were; but there are some still that you cannot find out. They take a house in some remote district, and these boys are well taught, well fed, and plunder and get a great deal of money. There are a great many men who commit the worst crimes in London, and they are under that direction. (1,988.)

prised that, despite the laudable efforts of statesmen and philanthropists, so little has been effected in the reform or diminution of offenders.\* The fact is, there are whole streets tenanted by the dangerous classes alone, and the houses there are very good property—the thieves being willing to pay almost any amount of rent, and pay it regularly too, if they can but command the use of premises for the purposes of residences, and concealment for the storage and division of the spoils, and, above all, for the purpose of keeping together. Under these circumstances, it has been proposed, by one who has devoted much attention to the subject,† to attack the evil at its very root, by making the landlords who let their houses to these enemies of society, and who are, in most cases, fully cognisant of the vocation of their tenants, so far responsible, as to levy upon such premises *alone* the rates now levied indiscriminately upon all property for the repression of crime, the detection, trial, and punishment of the offenders. It is certain that the class in question could not continue their nefarious practices unless they had house-room to carry them on; and why, as has been truly observed, should a householder, who knowingly shelters a gang of thieves, be distinguished morally or legally from a receiver of stolen goods? Mr. Hill proposes to exempt from the above-mentioned rates all property that can be shown free from complicity with thieves. This, he conceives, is preferable to directly imposing the amount of taxation on that property, the complicity of which should be made evident, as in the former case the burden of proof would rest on the *claimant* for such privilege, who would have no difficulty

\* "Judicial Statistics," 1863.

† "Plan for the Suppression of Crime," by Edwin Hill, Esq., brother to the Recorder of Birmingham.

in proving his case clear and straightforward. "As every grant of exemption," adds Mr. Hill, "would increase the pressure on those owners who were *unentitled* to it, the accumulated weight would force them to dispose of their interests to men who had established titles to public confidence. By this process our towns would be soon purified from the predatory class; the whole host of habitual burglars, forgers, coiners, thieves' instrument makers, receivers of stolen goods, trainers of young thieves, &c., would be dislodged, and, unless they took to honest courses (in which case, every hand should be stretched out to help them), they would find no shelter but the workhouse or the gaol."

It has been suggested \* that an Act of Parliament should be passed "authorising existing tribunals, or creating a new one, to be called the *Criminal Tax Exemption Court*," to receive, publish, and decide all claims for exemption, the said claims to be sent in to the chief of police, head clerk, overseers of the poor, or other constituted authorities in every place to which the Act applied. The revising barrister should then sit in public court to go through the list, each claimant attending to substantiate his claim. Relief should be given to landlords against tenants for illegal use of premises, and damages should be obtainable from referees giving false characters of intending tenants. It might also be required that tenants should sign a declaration on entering on the tenancy. Knowingly to allow criminals to become tenants might be made a misdemeanor. A criminal conviction should cancel a lease.

In order to secure payment of the heavy rates that would fall on unexempted property, the premises themselves should be liable.

\* "Plan for the Repression of the Criminal Classes."

It must be allowed that the above provisions, though they probably would prove very effective, are open to some objection as arbitrary and inquisitorial, especially when the proprietors belong to a class where the mere suspicion of complicity with thieves and evil-doers would naturally be regarded as an insult. The author, however, provides to a certain extent against this objection, by proposing that the Act should be made permissive only, though he urges that some encouragement should be offered for its early adoption. One difficulty, however, would still remain. What is to become of the thousands—for they must be numbered, alas! by thousands—of depredators and malefactors of all descriptions, men and women, who would thus be thrown, without home, character, or employment, on the streets? Is it not to be feared that they might be driven to some desperate course (perhaps to band together to make a general assault on the respectable part of the community), which, though it must end in their discomfiture, would infallibly produce an immense though temporary amount of crime and suffering?

Still, to rid society of the confirmed criminal class would be so inestimable a benefit that it is worth almost any sacrifice. But this scheme, if successful, would do still more. Mr. E. Hill calculated that every day seven infants are brought into the world, surrounded by such a network of evil circumstances that, short of a miracle, scarcely anything can deliver them from a life of crime. These unfortunates are born and bred in sin and shame; taught begging and thieving from their infancy; learning to look with contempt on industry and sobriety, and everything good and useful; and when thoroughly depraved, fall into the hands of the law, which, having stood idly by while the work of corruption was going on, now that the mischief is done, is compelled, for the safety

of society, and for the sake of the delinquent himself, to subject him to the pains and penalties entailed by his crime, although he is rather the victim of circumstances than a free agent. Surely no effort should be spared to uproot these poisonous guilt-gardens, as an eminent writer calls them, wherein a whole generation of criminals are being nurtured and reared to maturity.

With respect to the progress in the other branches of social reform treated in the foregoing article, since the year 1858, when it first appeared—namely, reformatory and industrial schools, the sanitary condition of great towns, lodging houses for the poor, and the correction of the habits of drunkenness which prevail among the lower classes in Great Britain—our limits will permit a few brief observations only. During the session of 1860 many important sanitary measures were enacted, one especially, the “Diseases Preventive Act,” by which the local authorities are empowered to order and provide *carriages suitable for the conveyance of persons suffering under contagious diseases*, to any hospital or other place of destination. But, like many Acts on the English statute-book, this has remained a dead letter. Public conveyances are still employed to bear the fever-stricken patient to the hospital, and the widely spread increase of infection is the natural result.\* In fact, despite all that has been done within the last twenty years, as recounted in the preceding pages, it is still too certain that the sanitary condition of the poorer classes in the great centres of population is deplorable. In the metropolis, in some part or other, fever is always raging, and too often assumes the form of a local epidemic. The fronts of some of the

\* Within the last few months a proposal has been made by Dr. Jefferson, a physician who has devoted special attention to these subjects, to raise a public subscription to provide such carriages.

Houses still look out on unpaved courts and alleys, the soil of which is a rotten mass of mud and refuse, often soaked with sewage, and sometimes with the drainage from the slaughter-houses.\* True, there are Acts compelling landlords to remove accumulations of refuse, and provide adequate drainage; there are sanitary officers whose duty it is to denounce nuisances, and vestries to enforce the recommendation of the officers; but neither the one nor the other seem to fulfil these duties, and there is no central power, as in Paris, to control both. In some parts of London† the drainage is not only defective, but there is actually no main sewer at all, and this in more than one of the richest parishes of the wealthiest capital of the world! Certainly, self-government is an excellent thing in its way, but, like all good things, it may be carried a little too far. There is no part of Paris, even the most wretched, in which such abominations could exist a single day.

The question of dwellings for the labouring classes, discussed at considerable length in the preceding article, has assumed still greater importance within the last seven years, for the action of trade and locomotion is every day destroying more and more the habitations of the London poor. It has been truly said that scarcely any neighbourhood is found too wretched for a range of warehouses, or too remote for a railway station; and, indeed, the price of land in the wealthier quarters renders this inevitable. Much has been done by benevolent and enlightened individuals, and Mr. Peabody's magnificent donation bids fair to afford a certain number of the indigent inhabitants of the metropolis cheerful and comfortable rooms at a very moderate rate, the rents demanded being nearly a

\* *The Times*, February 1866.

† Earl's Court, for example, in the parish of Kensington.



third less than the average charges now made for lodgings of a far inferior description. Large blocks of buildings are in process of construction for the same purpose in various parts of the capital; but the destruction of house property involved in the formation of new lines of railroad advances with still greater rapidity; and the Earl of Shaftesbury lately declared, that had all the Acts applied for been granted, they would have displaced in London alone 3,500 houses, and 120,000 inhabitants, and that £600,000 would have been needed to supply the deficiency.

It is well known that, as a rule, no investment will be generally made except it pays. Once in a century, a man of princely wealth and boundless generosity may give his tens or hundreds of thousands for a philanthropic purpose, but in so large a field of exertion generosity itself can do but little. What is required is such a complete and general improvement in the house accommodation in London as may enable a working man to live decently without paying an increase of rent? The problem is—how to effect this desired result! How can houses of this class be made to pay sufficiently well to induce men of business and the public generally to invest their money in them? For there are many not much distinguished for benevolence, who would be quite willing to promote a good object, and be content with a moderate share of profit, if they were certain of running no risks. At present the interest on model lodging-houses, as a rule, is not above  $2\frac{1}{2}$  or 3 per cent.,\* while the wretched dens let out to the very lowest class pay 4, 5, or even 6 per cent. The fact is, property of this description, as a rule,

\* The range of model lodging-houses erected by Miss Burdett Coutts do not return more than 3 per cent., though they are always full.

will pay only if the rents are exacted without mercy, the houses repaired but just enough to prevent their falling to pieces, and the owners willing to collect them themselves, a duty few men in a respectable walk of life would like to perform.

One great obstacle to improvement, in this respect, is the immense cost of land, and the difficulty of purchasing it freehold in the metropolis. Many a man who would gladly lay out large sums in the erection of well-built and healthy dwelling-houses, if they were to remain his inalienable property, will not go to the expense, when he knows that at the end of ninety-nine years he will have no further interest in them. We are told, indeed, that a very small increase of rent would be sufficient to equalise the position of the leaseholder and the freeholder, but few persons are able or inclined to make this calculation. Something may be done by raising the houses three or four storeys above ground, as on the Continent, and thus utilising the space so as to afford accommodation for double the number. This plan may be open to objections, but surely it is far preferable to crowding six or eight or ten individuals into one room on the basement, or in the cellar. Decent lodging is the most essential condition of any improvement, physical or moral, in the lower orders. It is, therefore, with pleasure that we hail the prospect of the "Operatives House-building Company," the occupants of which are eventually to become shareholders, paying instalments of 6d. a-week. The shares of £10 each are divided into two heads—£1 shares, on which £1 is to be paid on application and £1 on allotment; and B shares, payable by instalments of not less than 6d. per share per week, with 1s. per share entrance fee. It is the object of the society to enable the working class shareholders ultimately to become proprietors of their own sets of rooms,

as at Mullhausen, by inducing them to let their dividends accumulate at interest. Secretaries of working men's clubs are to be agents for the receipt of the rents, the instalments on the shares, &c.

The building of suburban villages for the working classes, accessible by cheap railroads, has been much advocated, as the comfort of breathing fresh air on return from work, and bringing up their children in a purer atmosphere, is an inestimable advantage. On the other hand, we must remember the time lost in going to and fro, and the fact, too much overlooked, that nothing which tends *completely to isolate the abodes of one class from another* is desirable in a social point of view. A scheme of far greater magnitude is now before the House of Commons, under the title of a Bill to provide Better Lodgings for Artisans and Labourers. By this Act, town councils or local boards of health will be authorised "to purchase, by compulsory powers, the property in overcrowded pestilential districts within their jurisdiction, when it is decided by such boards and councils to build thereon suitable dwellings for the labouring classes, power being given to borrow money from Government at a lower rate of interest, on condition of repayment in a specified time," with various other clauses to the same purpose, more or less important. The objection to this scheme is clearly the grant of compulsory powers. Such an invasion of the rights of private property is a very serious matter, to be justified only by the strongest and most pressing necessity, as it might serve as a precedent to still more dangerous encroachments hereafter. The question is simply—*does not this necessity exist?* Do not these dens of disease and vice spread infection, physical and moral, over the whole metropolis? Are not all efforts to improve the condition of the masses rendered nugatory

By the miserable state of the dwellings where they herd together more like animals than men? Do not railway Contractors laugh at private rights? Of course, to carry so vast a scheme into operation will demand the greatest practical wisdom, the most patient care and consideration but the end will richly repay the cost. Another Bill, enabling the Public Works Loan Commissioners to make advances towards the erection of dwellings for the labouring classes, has been likewise laid before Parliament, and will probably soon pass into law. These Acts prove at once the magnitude of the evil, and the extent of the efforts to mitigate it.

As to reformatories and industrial schools, the results continue favourable, though within the last two or three years the commitment of juveniles has been somewhat on the increase. The increase, however (which may be ascribed partly to the efficiency of the police), is chiefly in London and Liverpool, and may be attributed, in the first, to a certain dislike which exists to Government inspection, a prejudice very detrimental to the effective working of the Juvenile Offenders' Act; in the second, to the constant influx of bad characters, and to the sad fact that the education amongst the lower classes seems even more defective there than in the other great cities of England. In the rest of the United Kingdom the decrease is very marked. Thus, in Bedfordshire, in 1854, 71 boys were committed; in 1864, 36. Now, as eight only were admitted to reformatory schools in that year, it is evident that the diminution in juvenile offences must have been very considerable. True, this is one of the counties in which there is always the smallest proportion of crime, in proportion to its population. But let us take Yorkshire: in 1854, there were 816 boys committed; in 1864, 499; 101 were sent to reformatories in the

latter year, making 600 in all, a diminution of 210; a small number indeed in itself, but important when we consider the increase of the population and the amount to which juvenile crime must have risen, had it continued to augment in the same proportion as it did ten years ago.\* The Rev. Sydney Turner, Inspector of Reformatory Schools, imputes the increase we have deplored to the fact that police magistrates still persist in sending a great majority of boys to gaol again and again—a process certainly quite sufficient to account for their becoming hardened criminals. On the other hand, it is objected that the temptations offered by reformatories and industrial schools to parents, induce many to neglect and abandon their children, in order to exempt themselves from the expense and trouble of bringing them up. This argument is, unfortunately, supported by facts.

“Not a day passes,” says a recent article in the *Times*, “without children being charged with theft, the parents in almost every instance declaring they do not know what to do with them, and entreating that they may be sent to a reformatory or industrial school. Yet these very parents not only wilfully neglect, but *positively refuse, to pay* the mere trifle demanded towards the support of their children, and even affirm that they act thus *on principle*; that the magistrate having taken charge of the boys, *may keep them*.” Evidently the course to be pursued is, *not to do away with* the reformatories, but to enforce more strictly the law which compels parents to contribute towards the maintenance of that offspring whom their neglect or vices have thrown upon the country for training and support.†

\* Report of the Inspector of Reformatory Schools, 1866.

† The average cost per head of each child is £19 per annum for boys, £19 17s. 6d. for girls. The financial position of most of the

In Ireland, the success of the reformatories, both Protestant and Catholic, is in a high degree satisfactory, more especially when we remember the general poverty of the people. The decrease in the number of young offenders is remarkable. The Report of the Board of Superintendents of 1863 states that, in Dublin, a juvenile pick-pocket had become a rarity; and in that of 1864 an equally strong testimony is given as to the effective working of the Act. The Board particularly notices how few of those sent to reformatories relapse into crime after their release. Of 125 discharged in 1863, 113 are known to be doing well; of 133 in 1864, 115. The success of the system in Ireland, in Dublin particularly, is to be ascribed, in a great measure, to the rigorous enforcement of the parental payments, a point so much neglected in England. The orders are made out on the lowest scale, and regulated, not so much by what the parent *ought* to be able to pay, as to what he *can* really pay with certainty. Sometimes as little as 2d. or 3d. a week is claimed; but the payment is peremptorily demanded, and the parents are warned that unless it is forthcoming they

schools is satisfactory, though the payments of the parents bear so small a proportion to the expense as to count for little or nothing. The receipts were, in 1865:—

	£	s.	d.
Treasury payments for maintenance ...	64,735	7	10
Parents' payments through inspector ...	2,499	8	7
Subscriptions, legacies, &c. ....	9,607	6	4
Contributions from rates ...	9,546	15	7
Ditto Voluntary Associations and payments for voluntary inmates...	750	16	3
Sundries ...	1,746	14	3
Balance of profit on industrial departments	6,921	10	0
<b>Total ...</b>	<b>95,807</b>	<b>18</b>	<b>10</b>

The total expenditure for reformatories in  
the year was ... 96,167 5 8

will infallibly be sent to gaol. This warning, which experience has taught them is not an empty threat, is so effectual that it is rarely found necessary to carry it into execution, and a considerable sum is regularly collected.

The certified industrial schools in the United Kingdom are increasing, though slowly. There are 31 in England, 20 in Scotland, in Ireland none. The number of children admitted the 31st of December, 1864, was 1,765—1,194 boys, 474 girls. These schools, the inmates of which, with some exceptions, belong not to the criminal but to the vagrant class, though the distinction is not very easy to draw, are valuable adjuncts in the improvement and reformation of the youth of the lower orders, wherever the Act is energetically applied.

And yet, despite all the efforts made in this direction, thousands of destitute, neglected, ignorant children are still swarming in all the great cities in the United Kingdom. To estimate their number is impossible—their name is legion. In Manchester alone, we learn from a recent writer that only one child in three receives the elements of education. Thus 50,000, out of a population of half a million, are growing up in the densest ignorance, not from the poverty of the parents—many of whom are earning amply sufficient to maintain and educate a family—but from their drunken and vicious habits, which absorb all their available means, and render them indifferent to the fate of their children. In Liverpool, at the close of 1865, there were no less than 10,280 children who could neither read nor write; the lowest degree of education compared with any preceding year, and quite in keeping with the tables of crime.\*

The more general diffusion of education—moral,

\* Report of the Governor and Chaplain of the Liverpool Prison, 1866.

religious, and intellectual—is the only cure for this evil, and the increase of ragged schools for infants and juveniles seems to us one of the most effectual means of reaching the lower strata of the population, where vice and ignorance naturally most abound. No other description of school that we are aware of can penetrate into these foul and hidden depths; and it is deeply to be regretted that the Government grant in their aid should be so penurious. True, the free working, the missionary spirit, “the faith which discerns the immortal spark shining through all that is revolting in the squalor of these little creatures,”\* are essential to carry on this work of mercy. But why should Government aid destroy that spirit?

One of the most strenuous supporters and devoted friends of those schools has declared the idea fallacious.† A capitation of 10s. per annum for infants and £1 for juveniles, which would cover half the expense, is all that is demanded. The rest would be easily defrayed by private benevolence. How small would be the outlay, in comparison with the immense good it would effect by carrying some rays of civilisation, of moral and religious instruction, among the thousands now growing up in ignorance and sin, and who will inevitably, at no distant period, swell the list of criminals already so fearfully large? The fate of millions yet unborn lies in the hands of the present generation. Can any effort be too great,

\* Miss Carpenter's evidence before the House of Commons, 1861.

† The twenty-second annual meeting of the Ragged School Union has been lately held at Exeter Hall, under the presidency of Lord Shaftesbury. According to the report, it has now 747 schools, with an attendance of 61,986 children, 3,029 voluntary teachers, 396 paid litters, 480 monitors. In the refuges were 450 boys and girls. There were 102 penny banks, with 15,564 depositors; the total amount aid in during the year was £6,778, that withdrawn was £6,100.



any expenditure too vast, which offers a reasonable hope of preserving them from perdition?

Within the last few months, the Recorder of Birmingham, M. D. Hill, Esq., whose name has so often appeared in the preceding pages, and to whose untiring exertions in the cause of penal reform the triumph of the principles now established are in a great degree due, has retired from the office he had held for twenty-seven years with so much honour to himself and so much advantage to the country at large. Among originators and advocates of the treatment of criminals with the view at once to their reformation and the protection of society, Mr. Hill will ever hold an honoured and conspicuous place.

## THE HISTORY OF PAUPERISM IN ENGLAND,

*With an Appendix, bringing it down from the  
Earliest Period to the Present Day.*

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WORKHOUSES, REFUGES, FRIENDLY SOCIETIES, WORKMEN'S  
HALLS, CLUBS, COLLEGES, COMBINATIONS, STRIKES,  
ETC. ETC. ETC.

PAUPERISM and crime, have sensibly diminished within the last twelvemonth. Such was the important fact announced by Queen Victoria at the opening of the Session of Parliament, February, 1858. In any other country on the eve of a war, the end and aim of which was nothing less than the re-adjustment of the balance of power in Europe, the Sovereign, when addressing the representatives of the nation, would have certainly commenced her speech by drawing their attention to the state of foreign relations, and the part the country would be called on to perform in the great drama about to commence. But in England the diminution of pauperism was regarded, and rightly, as the most important of all the events of the past year. Great Britain, too, has had her revolution, which armed the sovereign against the people, and the people against the sovereign; the dynasty was overturned, and a prince whose name was scarcely known to the nation raised to the throne, but social order was not disturbed. On the contrary, the shock eventually served to consolidate the political institutions of which

England is so justly proud, and to add new elements to the national wealth and greatness. What though Britain lost her American colonies, the sword of a youth of twenty-five, who from an ordinary accountant was suddenly transformed into a first-rate general, subjected Bengal to the dominion of an English trading company, and thus paved the way to the conquest of the vast empire of the East. When Napoleon, in the zenith of his power, commanded the kings of Europe to close their ports against the products of Great Britain, she contrived to make these kings her stipendiaries, kept their armies in her pay, and became the soul of the coalition, which at length succeeded in hurling the conqueror who had menaced her existence from his throne. England has marvellous resources to repair every disaster, military or political, that may befall her; but, as yet, she has not only discovered no cure for pauperism—which is not surprising, for it is an evil which will always exist in every land—but no palliative, no plan for keeping it within moderate bounds. The importance of the result announced by the Queen, justifies the place it holds in her speech; and this diminution of pauperism, were it real and progressive, would contribute in no small degree to the solution of one of the most difficult problems of the present age, by proving the efficacy of the peculiar system pursued in England for that end. But on close examination this hope proves fallacious. It is well known that, independently of the poor on the official lists, there are vast numbers supported by private charity. We know, likewise, that all the efforts of local administrations and central boards serve too often only to drive the indigent of the first category into the second. Scarcely had the Queen proclaimed from the throne the diminution of pauperism, when the Earl of Shaftesbury, on the 2nd of

May, 1859, while presiding over the seventeenth annual meeting of the Committee of Refuge, in Field Lane, expatiated on the misery of the poorer classes in London, and urged the necessity of a new ragged school in that district for at least 500 children, and new night refuges for the thousands of wretched beings who have literally no roof to cover them. Is not that a melancholy commentary on the royal speech?

Some have gone so far as to fancy they discerned in the internal condition of England the germ of a social revolution, more radical and more subversive than any political convulsion. Others, the economists of the modern school, on the contrary, believe her in possession of the principles which are alone conducive to the real progress of civilisation. The truth, as usual, lies between the two extremes. The almost fathomless abyss of poverty, above which is raised the imposing structure of British manufactures and commerce, cannot fail to startle every one who visits the principal towns of the United Kingdom. But though the misery does exist, and to a degree most painful to contemplate, we must not exaggerate its perils. The national energy has more than once surmounted similar dangers; and before examining certain measures proposed, in the hope of diminishing, if they cannot cure, the evil, we will endeavour to lay before our readers those which have already saved the country when it seemed about to sink into the gulf of pauperism. The history of this reform of the Poor Law, and of the Poor Law itself, which has been modified in its application rather than in its principle, has been written by one of those who have most contributed to its amelioration. In presenting an analysis of the work of Sir George Nicholls, we will endeavour to complete this sketch by details drawn from the popular "History" of Mr. Charles Knight, which has

attained a well-deserved success in England; from the reports of the Poor-Law Commissioners, so regularly laid before the House of Commons every session; and from our own personal observation, during a lengthened residence in that country. The successive amendments, which have been imperatively demanded in the English Poor Law, are pregnant with instruction, and had their history been better known in 1848 in France, when the country was agitated by social questions of all descriptions, the radical vices of the doctrine which proclaims the right of labour would at once have been recognised, from the result of the experience of three hundred years, on the other side of the Channel. Since, however, equal rate of wages, "*le droit au travail*," have still partisans in France, it would not be amiss for those who preserve their illusions on the subject to study the results of a law which, to a certain degree, embodies these theories, as they exhibit themselves at every page in the history of the Poor Law in England.

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#### CHAPTER I.

THERE were, undoubtedly, poor among the Anglo-Saxons, but they formed by far the minority of the nation. King Athelstan ordered the intendant of each of his manors to take the entire charge of a poor man, and if they had not any in their immediate neighbourhood, to seek for one. Another law of the same epoch compelled the relatives of a man who had no land to give him temporary shelter, till they could find for him in the *folc-gemot*, or assembly of the people, a patron who should be bound to provide for his subsistence and that of his family, with the right of repaying himself from the

produce of his labour.\* Two-thirds of the population were composed of classes descended from the Kymris, or Britons, despoiled by the Conquest: the rest comprised the great and the little proprietors, the *eorls*, and the *ceorls*, or husbandmen, descendants of the nobles, and of the common people, who had divided among themselves the possession of the Saxon domains. The husbandmen thus designated by the name of "churls" had a representative in the assembly of the people, who was called the "king of the peasants." The rest of the population were slaves. It can be well conceived that, in a society thus constituted, there was very little room for that absolute destitution which in the present day drives so many guilty and unfortunate beings to theft, vagrancy, and mendicity. The law in its terrible brevity spared no one more than twelve years old who stole above the value of one shilling.

The Norman conquest despoiled a great part of the Saxon proprietors, and subjected England to the feudal system in all its rigour. It suppressed the race of clients, augmented in a large proportion that of slaves and serfs, and gave birth to a class of individuals numerically important, though they do not figure in the famous Domesday Book, preserved in the Chapter-house at Westminster—that of the outlaws, who had taken refuge among the hills and forests, and there protested, by brigandage, against the rule of their foreign lords. This marauding life retained its charm for many a bold and restless spirit among those who had no longer a settled place in society, even when it had ceased to be ennobled and to a certain degree justified by the legitimate hatred

\* A.D. 924 the Act stands thus:—"Lordless men, of whom no land can be got, the kindred be commanded that they domicile him to folk-mote, and find him a lord in the folk-mote."

of an oppressed nation towards its conquerors. Brigandage, losing its patriotic character, ended by placing itself in the service of the oppressors of the land, or rather by becoming a mere trade. During the whole reign of Henry III., which lasted fifty-six years, and terminated in 1272, the inhabitants, says the chronicler of Dunstable, were never in safety, even in their own houses, and when the country was completely at peace. The villages were often pillaged by armed bands, protected against the justice of the king by the barons, who shared the spoils.\*

The Statute of Winchester, promulgated in 1285, shows in what a frightful state of disorder the country was plunged, even in the reign of Edward I. This act sets forth, at its commencement, the frequency of murder, theft, and incendiarism, and the impunity secured to the criminals by the dread with which they inspired the judges, and in consequence renders each hundred or district answerable for all robberies perpetrated within its own limits. It proceeds to direct that the gates of "all great towns, being walled," shall be closed from sunset till sunrise; that all suspicious individuals shall be arrested at the suburbs of the towns; that the highways leading from one market town to another shall be enlarged, and the copses and hedges bordering them cut down to the distance of 200 feet on either side. It imposed on every man the obligation of keeping weapons in his house, for his own defence and that of his neighbours.

From the middle of the thirteenth century, these enemies of society were naturally recruited from a class which became daily more numerous—that of liberated serfs or bondsmen. When the Norman baron beheld the

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\* It was likewise enacted that, while travelling, every stranger, if leaving the high road, was bound to shout or blow a horn, otherwise he was liable to be taken for a thief.

approach of that awful moment which was to terminate a life of rapine and violence, he implored the mercy of God, through the medium of his ministers, and obtained absolution for his soul, only on condition of breaking the bonds in which he held so many of his fellow-creatures. England, the country in which there had been the greatest number of serfs, became henceforth that which had the greatest number of poor, and an unfortunate concurrence of circumstances has preserved the sad pre-eminence to the present day.\* From 1307 to 1327, under the reign of Edward II., foreign and intestine wars, and, above all, the famine, which compelled the nobility to emancipate the greater part of those vassals whom they could no longer maintain, augmented the number of beggars and malefactors. A man who found himself suddenly delivered from the bonds of slavery, and compelled to engage single-handed and unaided in the battle of life, had absolutely no resource but to become a vagrant. If really hardworking and honest, he was still forced to wander about the country to get employment, while, if vicious and idle, he naturally had recourse to illicit means of obtaining a livelihood.

In an age of transition from slavery to freedom, this latter case was of continual occurrence. Thus for a very long period the legislation of pauperism had a character exclusively repressive, and occupied itself with the indigent only to defend society against the evils which the greater part of these unhappy beings inflicted on it.

Under the reign of Edward II., the number of vagabonds was diminished by the introduction of a new

\* Long after 1225, *vileins* were regarded as a saleable commodity. In 1288, a serf and his family were sold to the Abbot of Dunstable for 13s. 6d. of the money of that age; and in 1339 a female slave and all her family were made over as a gift.



process of weaving, imported from Flanders, which afforded occupation to a great number of poor freemen, and by the plague or "black death," which, if we are to believe the historians of the period, carried off one-half of the population. But this calamity, which, as we know, led the wealthy in every land to drown the sense of danger in the intoxication of sensual enjoyment, exercised an influence not less fatal on the lower orders of society. Many among them, feeling they might never live to see the morrow, resolved to spend the little time left in idleness and debauchery; and those who consented to labour, took advantage of the difficulty of obtaining workmen to exact the most exorbitant rate of wages. This state of things gave rise to a law of maximum often since renewed, by which it was enacted that butchers, bakers, and other dealers in articles of food, should be bound to sell commodities at a fixed price; and in 1349 to a statute which decreed that an able-bodied man or woman not exercising any craft, or having lands or estates, should be bound to serve at the wages accustomed to be given, and, if they refused, should be forthwith sent to gaol. Labourers departing from their service were to be imprisoned, and masters consenting to give higher wages to be mulcted in double the amount. Almsgiving to sturdy beggars was likewise forbidden under heavy penalties, since as long as they could live on charity it was set forth they preferred sloth and vagrancy to honest labour. The evil grew still worse towards the close of Edward's reign, and the kingdom was fast falling back into the disorders which had disgraced that of his predecessor, when the young Richard II. ascended the throne.

The revolts of the serfs, those terrible convulsions of feudalism tottering to its fall, offered fresh opportunities

to brigandage, with all its attendant crimes, notwithstanding the rigour with which they were punished, even by the insurgents themselves.

In 1378 the King named commissioners in each county to arrest malefactors without any other form of procedure, and to keep them in prison until the arrival of the judges; but the English, animated by that sentiment which with them has overruled all others, always preferred securing the impunity of assassins and robbers to compromising the liberty of honest men. At the prayer of the commoners this law was repealed. The malefactors arrested by the commissioners were set at liberty, and crime walked once more, with head erect, under the shelter of the Habeas Corpus Act. Nevertheless, after the insurrection of Wat Tyler, when the knights and barons had massacred the 100,000 insurgents who had been led on by the tiler \* at Smithfield—as the Gascon knights, returning from the battle of Poitiers, cut to pieces the 40,000 Jacques on the Place de Meaux—the king felt himself stronger, and the Commons evinced less jealousy of the individual rights guaranteed by the Magna Charta, the statute of Winchester was put into operation, and judges and sheriffs were empowered to arrest thieves and vagabonds wherever they might find them.

These measures being insufficient, another was added in 1388, the principal disposition of which has not been abolished, even in our own days, and which for 420 years, under the title of Law of Settlement, kept the labourer attached to the glebe, not of his lord, but of his parish. By this Act it was decreed that “he or she who had laboured at the plough or cart till they be of the age of

\* It is a singular fact that one of the king's party who was slain in defending the city of Norwich, of which he was captain, against the insurgents, was by birth a serf or villain.

twelve years, shall remain at the same labour ; and if any bond of apprenticeship be made to the contrary, the same shall be held null and void." It was likewise enacted "that artificers, apprentices, and servants shall be compelled to cut, gather, and bring in the corn in harvest, the labourers being insufficient for the demand." It was prohibited to a farm labourer or servant man or woman "to depart at the end of their term out of the hundred, rape, or wapentake where he was dwelling, to go to another place, even under pretext of making a pilgrimage, unless he bring a letter patent, under the king's own seal, assigned for that intent, to some good man of the hundred, borough, or town." If found disobeying this order, they were to be put in the stocks. It was likewise forbidden to employ any workman who was not furnished with a passport, certifying that he was in the condition imposed by the law.

In the same Act, however, there is the first germ of the future Poor Law. All impotent beggars in the city or town at the time the edict was issued, were to bide there ; in case these localities could not support them, they were to repair to other towns of their rape or district, or to that in which they were born, where they were to remain for the rest of their lives. True, there was no law to provide them with the means of existence, but that may be partly explained by a fact which diminishes the apparent rigour of enactments, rendered almost indispensable by the then existing state of society. As has been truly observed, the right of locomotion, on which restrictions were placed, was at that period of little value ; while a law of settled domicile was essential to progress and security. Besides, England was then covered with institutions especially founded to aid and relieve the poor, and no one was really under the neces-

sity of roaming about the country to procure food, clothes, or lodging. This explains the silence of the law with regard to all provision for the really destitute who were incapable of work. In all parts of the kingdom were hospitals, founded in honour of God and the Virgin, for the sick, the insane, the leper, the orphan, and the widow—in fact, the unfortunate of every description. Nor did the ministers of religion content themselves with persuading the dying baron to emancipate his serfs; they induced him to bequeath a certain portion of his wealth to the poor; and thus the Church, while it broke the fetters of the slaves, gave nourishment, both of soul and body, to the multitude of unfortunates, who owed their liberty to her unceasing efforts on their behalf.

Unhappily, the slave could not be thus suddenly transformed into a free agent, without becoming a source of embarrassment and an element of disorder; for serfdom naturally tended to lower the wages of the independent workman, and to render the demand for labour uncertain, at whatever price it might be offered. At this period of transition, the labouring poor were necessarily exposed to privations of every description, by illness, want of work, and the moral results of idleness. The civil power was therefore compelled to take measures to restrain the encouragement which indiscriminate and unlimited charity would have given to sloth and vagrancy. This was the object of another law enacted in the same year of 1388. Strange to say, during the fifteenth century, at the very time when the wars of the Two Roses might be supposed to have increased the number of malefactors, there was more security for person and property than at the two epochs which preceded and followed these sanguinary conflicts. This war destroyed at least one-half of the ancient nobility; it amalgamated what remained with

the gentry and the commoners of Anglo-Saxon origin, and it brought the two races into that state of complete fusion which English society presents at the present day; while at the same time it opened to the bulk of the people the enjoyment of those advantages which resulted from the abolition of serfdom, and prepared them for the free exercise of their faculties as responsible beings. Meanwhile, however, the enormous privileges of the Church, added to the possession of nearly a third of the revenues of the kingdom, had crowded the various orders of the clergy with men who were utter strangers to the true religious vocation. At times the prelates conspired with the nobles to divert to their own profit the funds of the hospitals; sometimes the monasteries were recruited by lazy and worthless individuals, who dissipated in debauchery those sums which had been bequeathed for pious and benevolent purposes. In addition to this, men who assumed the title of clerks, or priests, committed with impunity every description of crime and misdemeanor, under the cloak of that benefit of clergy which exempted from temporal jurisdiction whoever could justify his clerical title, that is to say, could read a verse of the Holy Scriptures. The offender was then placed in the hands of the ordinary, from which, however, he generally came forth with little more than a nominal punishment.

Another crying abuse was that of sanctuary. The right of asylum enjoyed by the Church in the Middle Ages was undoubtedly necessary to counterbalance the violence and dangers, of all descriptions, which menaced the weak and the innocent; and nowhere was it more fully justified than in a country where all the calamities of a conquest were added to the rigours of a Draconian legislation. But this protection had really degenerated into a source of complete impunity for crime. The felon

who had taken refuge in a sacred edifice, left it frequently to prowl through the city in search of further prey, and when once he returned to his asylum, he could not be taken thence, even if in the interim he had committed a fresh offence. Every church was a safe refuge for forty days to any one who sought it; and if the robber or murderer found that he was likely to be seized at the end of this period, he had only to declare he wished to leave the country. He was then conducted to the neighbouring port, a crucifix in his hand. If a vessel happened to be there, he was permitted to depart at once, with a "God speed you;" if there was none, he entered into the sea up to his neck, and demanded passage three times. This ceremony was repeated till a ship presented itself, and then the criminal embarked in safety. We see what encouragements these safeguards offered to malefactors.

Henry VII., as soon as he had suppressed the rebellions which disturbed the first years of his reign, turned his attention to the measures against vagrancy. He rendered those measures more stringent, but at the same time he took others for the relief of the really necessitous poor, which betokened a complete change in the views of the civil power on this important subject. He did away with the penalty of imprisonment for rogues and vagabonds, as too expensive, and substituted that of the stocks, on bread and water, for three days and three nights; forbidding any one, on pain of a fine, to give the culprit food or drink, beyond that permitted by the law, during the infliction of the punishment—from which women with child and the sick alone were excepted. But at the same time, he relieved the poor from all costs in the courts of law, and provided, as a means to help and speed poor persons in their suits, that writs should be issued, and counsel assigned them, free of cost, to

protect them against the arbitrary application of the 7th statute of Richard II. Finally, he obtained from the Pope a bull granting to the civil power the right of arresting malefactors, who after taking sanctuary had committed a fresh offence; and somewhat later, he procured a Papal admonition to certain monastic establishments, warning them to be a little less liberal in the protection they extended to criminals.

The struggle of English civilisation with pauperism assumed a sterner character under Henry VIII., nay, one of positive cruelty. The legislation had till then punished indigence only when it assumed the form of vagrancy, which is always *à priori* held to be criminal. Henry VIII. did not confine himself to this; he punished poverty itself as a crime, that poverty which the Redeemer has pronounced holy, which unites men by the bond of charity on the one hand and gratitude on the other, and is consequently the source of the purest enjoyments and the most touching virtues. This statute of 1530 ordered the search and registration of all the aged and infirm poor, who were to be furnished with an authorisation to beg within a certain limit or circumscription, which they were forbidden to exceed, under penalty of two days and two nights in the stocks, on bread and water; while the sturdy beggar was to be whipped at a cart's tail till the blood ran, and enjoined to return to the place where he was born, and had last dwelt, for three years, and put himself to labour like a "true man." He was to beg his way home as best he could, in a certain time and by a certain road, and if he exceeded one or wandered from the other, he was in every place to be taken and whipped. This enactment was doubly cruel, because it made no provision for the old and sick, beyond permitting them to demand alms, and did not offer the slightest assistance to

the man who was really desirous of procuring employment, though it chastised him so severely for not seeking or obtaining it. It was all the more iniquitous, because at that period the most industrious labourer often found it impossible to get work. Lastly, any one giving alms or asylum to beggars not provided with the royal permission, was subject to fine or imprisonment at the King's pleasure. Students of Oxford and Cambridge were likewise to be whipped if found begging on the high roads, without being duly authorised under the seal of the said Universities. Three years afterwards, 1533, a still sterner law was enacted, and we know positively, by a letter from Thomas Dorset, Vicar of St. Margaret, that it was the work of Henry VIII. himself, who came to present it to the Commons in person. "Vagrants," thus stands the Act, "shall be whipped for the first offence; for the second, whipped again, and the upper part of the gristle of the right ear cut clean off; the third time, they shall be committed to gaol, brought before the court at the next quarter sessions, and if found guilty, adjudged to suffer death, as felons and enemies of the commonwealth."

But the king, who had secretly made up his mind to suppress all religious orders in his kingdom, could not close his eyes to the necessity of supplying, in some degree at least, the place of that charity so liberally dealt out by the monastic establishments—of founding, in short, some civil institution to aid the truly necessitous who could not aid themselves. The same law of 1536 ordered the parochial authorities to collect voluntary subscriptions for the aged and infirm poor, so that no one should be forced to beg out of his own parish; it enacted too, that sturdy beggars, and "such like," should be set to work at the king's charge, that they might gain an honest livelihood, under penalty of a fine of 20s. per month for every



locality in which the said measure was not enforced. While recommending the mayors and churchwardens to make weekly collections for the benefit of the poor, the statute expressly declared that this contribution was not obligatory, and that no one was to be constrained to contribute to it except by his own charitable feelings. The king, who understood and desired to avoid the consequences of establishing a right to assistance, though his efforts, as we shall see, were unavailing, may also claim the merit of a measure which has never ceased, from his day to our own, to be more or less in operation in favour of vagrant children. These young outcasts were to be arrested, clothed, and apprenticed among the farmers, shopkeepers, &c., at the expense of the charity fund of each city or parish. By another and very different edict of 1536, all the religious houses with an annual revenue under £200 per annum were suppressed, their possessions given to the poor, and their members sent to the various great monasteries in the kingdom, where, "thanks to God," said the report of the commissioners charged with visiting these establishments, "religion is well and duly observed." But notwithstanding this testimony, in 1539 another statute suppressed these monasteries likewise, under the false pretext that the superiors had, without constraint and of their free will, assigned all their possessions to the king, from the month of February, 1536, and renounced all their own claims. By the suppression of the monastic establishments and of religious celibacy, 150,000 human beings were suddenly transferred from the quiet shade of the cloister to the noise and tumult of the work-day world. With the same blow, Henry VIII. multiplied the population to an enormous degree, while he dried up the sources of charity. The statute above mentioned could not make up for the daily distributions

of the revenues of the convents and the sums bequeathed to the poor, and now confiscated for the benefit of the Crown and its favourites. The indigent took by force what was no longer bestowed by charity. Crime and robbery increased in a fearful degree, and the founder of the English Church sent 70,000 of his subjects to the scaffold for theft and robbery, which, in a population of 4,500,000 souls, would have been equal to an average of 2,000 per annum, if the executions had been equally distributed over the whole duration of Henry's reign; but the greater part took place in the fourteen years which followed the suppression of the monasteries. The poor—who can wonder at it?—returned evil for evil; attacking person and property with equal fury, they carried on war against civilisation itself. The most sensible and enterprising betook themselves to France, Germany, Africa, or even India,\* to seek in foreign lands those means of existence denied them in their own. This was the commencement of an emigration movement, which has continued ever since under the influence of the same cause, *indigence*, and which in our own day has attained a proportion really extraordinary.

It would seem as though the progress of agriculture, industry, and commerce would have offered new resources to the labouring class; but many circumstances prevented the possibility of those wandering artisans who lived from hand to mouth from entering into successful competition with regular craftsmen.

The rigorous conditions of apprenticeship, the exclusive system of guilds then in full vigour in the towns and cities, shut the vagrant workman out of all chance of employment there. Agricultural labour was equally inaccessible. If he but approached the threshold of a farm, the yard

\* See "Knight's Pictorial History," Lingard.

dogs were loosed, and the gates double-barred against him. The farmer had his own servants, who had dwelt beneath his roof from father to son for generations. His pond supplied him with eels, his garden with vegetables, his bees with honey, his fields with hops. He brewed his own beer, baked his own bread, manufactured his own candles, while his wife and daughters spun and carded the wool, and prepared the clothes of the family, so there was literally no employment for the vagrant labourer.

One of the earliest acts of Edward VI.'s reign was to establish a series of punishments for the idle or vagrant poor, which exceeded in severity anything hitherto enacted, and the very rigour of which sufficiently proved the immense number of the mendicant class, who were thrown back on the community by the sudden and violent dissolution of monastic institutions. "Every loitering and idle wanderer, who shall refuse to apply himself to honest labour, or run away from work, is to be taken up for a vagabond, branded with the letter V, and adjudged a slave for two years to any person that shall demand him, to be fed on bread and water and *refuse meat*, and caused to work in such labour, how vile soever it be, as he shall be put unto, by beating, chaining, and otherwise. If he run away within two years, he is to be branded in the cheek with the letter S, and adjudged a slave for life; and if he run away again, he is to suffer *death as a felon*."

And what if no man demanded the "unhappy wanderer?" The justice was then to cause the letter V to be worked on his or her breast with a hot iron, and to send him to the place where he was born, there to labour in chains, or otherwise, on the highways, or at common work, or from man to man, as the slave of the inhabitants, who are to keep him at work, on pain of forfeiting for every day he shall be idle, by their default, £5 if a city,

£2 if a borough, and 20s. if a town or village. If it was discovered that he was not really born in the place of which he represented himself as being an inhabitant, he or she was to be branded in the face, and remain a *slave for life*. It was further ordered, that his master might put a ring of iron about his arm, neck, or leg.

What a commentary is this act on the gentle and merciful spirit of the newly-established faith! In no Christian land had so atrocious a law ever been enacted. Not even the increase of mendicity and vagrancy, which was certainly very great, can excuse or palliate it. To incur the doom of slavery, it was not necessary to be a beggar by profession. *Three* days without labour sufficed. The further provisions of the Act were worthy its commencement, though not completely unmarked by a better spirit, viz., that the child of a beggar, male or female, might be taken by any person from such beggar, and on the person so taking it promising before a justice of the peace to bring it up to some honest labour, it may be adjudged to the same person, if a woman child, till twenty, if a man child till twenty-four. And if it run away from its master or mistress, it may be taken, punished in chains, and in all points be used as a slave for the time above specified, and the master and mistress is then empowered to let, sell, bequeath, or give the service of such slave child to any persons he will. "Children so adjudged, if they wounded their master or mistress in resisting their corrections, or otherwise, or conspiring to do them mischief of any kind, are to suffer the pains of death, as in cases of felony. Or if the master, mistress, or any other person be willing to take them, they are to become their slaves for life. Happily, for the honour of the Protestant religion and English humanity, this atrocious statute was repealed within two years, probably from the impossibility

of putting it into execution. The Legislature was at length compelled to admit the necessity of providing for the subsistence of this multitude, who could not, or would not, live by the labour of their hands, and who, despite the utmost rigour of the law, preferred begging or stealing to dying of hunger. A statute of 1551-52 instituted two collectors in each parish, to be chosen annually by the mayors, vicars, and churchwardens, to collect and distribute charitable donations. This Act, without rendering legal assistance obligatory, tended nevertheless to secure it by a sort of moral pressure. If any person, being able, obstinately refused the alms demanded, the vicar and churchwardens were to exhort him with gentleness; if he persisted in his refusal, the bishop was to send for him, to recall him to the duties of charity by his eloquent persuasions. It might be, however, that even these pastoral exhortations failed in their effect—was to be done? It was evident that the sturdy beggars could be forced to work only on condition that assistance should be given to those who were really incapable of labour, or who could procure none. The abandonment of these unhappy beings would very probably create new rebellions, and there was now no chivalry to oppose them—must the stocks and gibbets be multiplied? The government had been forced to admit the inefficacy of the rule of terror which threatened to depopulate the kingdom without diminishing the number of beggars and malefactors. Under the pressure of urgent necessity, the first principle of a compulsory assessment of property for the relief of the destitute was at length inscribed in the statute-book of England in 1562. If a person refused a weekly donation proportionate to his means, the bishop had power to bind him, under penalty of £10, to appear at the next assizes, there to be exhorted by the judges to

obey the law. If persuasion and admonition proved unavailing, the judges might determine what sum the obstinate individual should contribute, and commit him to prison till he had paid both the tax and the arrears. The law, however, proceeded to these extremities only after long and careful formalities ; but the Legislature sanctioned for the first time the principle, which has never been effaced from the English code, the legal right of the poor to a portion of the property of every person enjoying a certain revenue. We shall see what it cost England to put this principle into practice, and with what restrictions she had to use it to prevent the application being fatal.

A government which imposes on its citizens the obligation of supporting the indigent, must naturally have the right to force the able-bodied poor to gain their livelihood. From the moment that idleness was declared penal, and men were *forced to labour*, it became a bounden duty to see that this idleness was purely voluntary, and to secure work for all who desired it. The Legislature was thus compelled, by a fatal but necessary logic, to sanction the right to labour as it had sanctioned the right to assistance.

In 1572 was passed an Act for the punishment of vagrants, and the relief of the poor and infirm. The severity of previous enactments against vagabonds and sturdy beggars is but slightly mitigated ; but it is declared, in positive terms, that provision is to be made for the poor, old, and impotent ; and the justices of the peace are enjoined to register the names of those born within their divisions, or who had been living there by alms within three preceding years—to assign them convenient places for their habitations, if the parish does not provide for them—to assess the inhabitants of such division to a weekly charge—and to appoint overseers, who shall have

the power of sending to hospitals to be cured, and being cured, of setting to work, all such diseased and impotent persons as are not wholly past labour. By an Act of 1576 or 1580, a stock of wool and hemp was to be provided for setting the poor to work, which stock *was to be purchased by a tax on every inhabitant*. If the pauper refused to labour, or spoilt the materials entrusted to him, he was to be shut up in the House of Correction or Bridewell—which every county was to construct, and to provide with implements of labour, raw material, and *stocks*, within the delay of two years—and was there to be put to hard labour, on thin diet, “and punished from time to time.” Such were the establishments which were to replace the convents and monasteries in the work of public assistance.

All these measures, however, implied an administrative mechanism far better organised than any really in existence at that epoch in England. They consequently remained in abeyance, and pauperism continued to increase, notwithstanding the mutilation inflicted on rogues, and the punishment of death, enacted in 1562, against all individuals who joined the bands of gipsies then infesting the country. At length appeared the celebrated statute of the 43rd year of Elizabeth, which, notwithstanding continual amendments, still forms the basis of the Poor Law in England. It mingled extreme severity towards sturdy beggars and vagrants, with something like paternal care for the old and infirm. It left untouched the 39th of the reign of the same queen, which enacted, that all persons arrested begging, in defiance of the law—and among them were expressly mentioned *strolling actors and musicians, rope-dancers, and chapmen*—were to be most severely whipped, and sent back to their parishes; if detected in a second offence, again whipped, and transported to any part selected by the Privy Coun-

cil ; and if they returned without permission, *hanged*. The same Act forbade the captains of ships to bring over to England poor Irishmen, Scotchmen, or the inhabitants of the Isle of Man, under penalty of a fine of 25s. On the other hand, it cannot be denied that many provisions of the law were really beneficial, both to the indigent and the country at large. Of these the four most important were the following :—

Firstly—"The setting to work all such children whose parents are not able to keep them."

Secondly, item—"All persons, married or unmarried, having no means to maintain themselves."

Thirdly—"Providing a convenient stock of flax, hemp, and other ware, and stuff, to set the poor to work."

Fourthly—"For the necessary relief of the lame, old, blind, and such as are not able to work." Poor children were to be apprenticed, and overseers appointed, who were to raise, weekly or otherwise, "in every parish, by taxation of every occupier of lands, houses, coal-mines, &c., such competent sums of money as they shall think fit."

Such were the principal provisions of this Act, which is considered, even at the present day, the palladium of society in England, though its consequences more than once brought the country to the very verge of ruin.

It was full thirty years before this mode of assistance could be properly carried into effect, even in a small number of localities, and above two centuries ere it came into general operation. To render the public service in this peculiar department more prompt and efficacious, it was proposed to give it a character of centralisation, singularly at variance with the system generally adopted in England. By a statute of George I., it was enacted, that a house should be erected in every parish to serve at



once as a *house* of correction, prescribed by the 39th statute of Elizabeth, as a refuge for the indigent, a hospital for the sick, and a place providing work for those who could not obtain it elsewhere. The number of beggars, however, continued to increase, for, generally speaking, these new regulations were not carried into execution; nor can this be a subject of astonishment. The staff of this gratuitous administration, which had to levy a tax heavy in itself, and at first peculiarly obnoxious from its very novelty, were not only charged with the assessment of the parish rates, and the distribution of the charitable donations—they had to perform the part of guardians to poor and orphan children, of employers to artisans without work, of merchants, manufacturers, and speculators; and were required to keep open shop for the sale of all descriptions of articles. The greater part of the population could not fulfil these heavy obligations without sacrifices, which few were inclined to make. It was often necessary to resort to severe measures to induce them to obey, and after having enacted one set of penalties against vagrancy, to decree another against the magistrates who refused to put the penalties into force.

This task, however, well suited the peculiar talents of Charles I. That unfortunate prince spared no pains to teach his subjects the art of self-government, and to accustom them by despotic measures to make a fitting use of liberty. In 1630 he appointed commissaries, who were employed to denounce the negligence of the justices of the peace, and other officers, and to ensure the proper application of the Poor Law throughout the kingdom. As the necessary result of the instructions set forth by this commission, one-half of the population was to administer the affairs of the other, and from the beggar to the head of the state society presented a hierarchy, the different

grades of which were bound together by constant supervision, denunciation, and chastisement. Private charity was strictly forbidden. These regulations, however, were insufficient to secure the proper execution of the Poor Law, but they familiarised the English with the assessment, the law of settlement, and the employment of taxation.\*

When the Commons resolved not to allow the military subsidies granted to the King to be paid into the exchequer, and to name commissioners to examine into the employment of these funds, they applied for the first time to the interest of the state that principle which their royal master had taught them to apply to the interests of their parishes.

At the same time that the habit of these details of local administration fostered the development of the spirit of opposition in the Parliament, it armed society against those disorders which might have been expected to have followed the revolution, and which would have completely changed its character.

The powers conferred in each county and parish on the sheriff, the justices of the peace, and other officers charged with the duty of distributing parochial relief and repressing vagrancy, contributed powerfully to paralyse the party of *levellers*, and to prevent insurrections like those of Wat Tyler and Jack Cade. It is, indeed, one of the most remarkable features of the English revolution, that in the sanguinary struggle between the King and the Parliament, with the exception of the confiscations which transferred to the hands of the middle classes a certain portion of the estates of the royalist nobility and gentry, the rights of property were invariably respected, heavily as they pressed on the mass of the people. The English

\* See Law of Settlement, page 230.

revolution was strictly a political revolution. It was a struggle for liberty, and not for equality; the idea of which never really suggested itself to any of the parties concerned. Nor must it be supposed that the Roundheads, while defending their own rights and elevating their own social condition, cared aught for the amelioration of that of the masses who had been their auxiliaries in the struggle. The middle classes availed themselves of this opportunity to found their own social independence and their political power; but the grand aim of the Covenanters—according to Hume, at least—was to suppress the use of the surplice, the stole, and the mitre, in England, as they had already been suppressed in Scotland.

The Protector was too busy to occupy himself with the beggars, though a proclamation in 1655, commanding a speedy and due execution of the laws for setting the poor to work, providing for the aged and impotent, punishing rogues and vagabonds, and taking account of overseers, shows that he was not indifferent to this important question; while it is tolerably evident that the condition of the lower classes was not much improved by the change in the form of government, if we may judge from a variety of documents, both official and other, handed down to us. Among them are two of peculiar interest, called "Trade's Destruction is England's Ruin," and "An Appeal to the Parliament concerning the Poor," that there may not be a beggar in England. In the first of these, we find the complaint that labourers, however industrious, were little better than slaves; that saving was impossible; that if they died while their children were young, their families must unavoidably come on the parish. The latter urged the duty of relieving the impotent, of setting the able-bodied to

work, and of taking no strict course against poor people, till some good means be used to supply their wants.

The first measure taken with respect to pauperism, on the accession of Charles II., was the statute of the law of settlement, usually called the Settlement Act,\* which still weighs like an incubus on the working classes in England. The defective execution of the Poor Law was attributed to the increase of population in the labouring classes, and the facility they enjoyed of "going from one parish to another," and settling themselves in those where there is the best stock, the largest commons or wastes to build cottages, and the most wood for them to burn and destroy, and when they have consumed it, then to another parish, and at last become rogues and vagabonds, &c. &c."

The number of sturdy beggars and vagrants had certainly vastly increased with the last twenty years. There was one class, especially, which at this particular period appears to have created great annoyance to the country gentry, from their predatory and lawless habits—the "*squatters*," to whom the new law specially applied. Unfortunately, its operation was by no means confined to these obnoxious individuals; but it served as a clog on the freedom of locomotion to the mass of industrious poor, by binding them to their parochial soil, and preventing their seeking work where hands were really wanted. But the lawgivers of 1662 did not, perhaps could not, discern this. The times were critical. The plague was raging. London was encumbered with vagrants, whose wretched dens served as permanent hotbeds of infection. The members for the metropolis thought of nothing save delivering the city from this pest by a legislative enactment, and, to obtain the concurrence

\* 1662.

and support of their colleagues, they inserted a clause in the bill in the interest of county proprietors. By this new law, the parochial authorities were entitled not only to pass on to his place of birth any one residing in, but not belonging to, their parish, so soon as he became chargeable, but to send him back forthwith, if forced to leave his native town or village from want of work or other causes, lest he should at a later period be a burden on the poor rates! This statute led, we are told, to inquisitions of a very tyrannical nature, so much so, that in some places a man was forbidden even to harbour his own sister.\* It was, in fact, reviving the statute of 1388, to the detriment of the hard-working poor. Still it must not be forgotten, that the law of settlement was almost a necessary corollary to the law of the right to assistance; that in this, as in almost every other instance, one abuse engendered another. The English nation (and this is certainly not the least remarkable example of its patience in elaborating and improving its legislature) struggled two centuries against the results of this detestable measure, the inevitable consequence of a law still more defective in itself; and, without abolishing either the one or the other, exhausted all the amendments necessitated by the continual suffering they entailed on the poorer population, and the litigation of which they were so prolific a source. The law of settlement, indeed, turned the greater part of the labouring classes into the subject of dispute, between the parish in which they attempted to settle and the parish to which they were liable to be removed, as soon as there was any danger of their becoming *chargeable*.

As early as 1662 it was found absolutely necessary to

\* "Report to the Poor-Law Board on the Law of Settlement," by George Coode, 1851.

modify this statute. In 1696,\* to prevent the relief destined for the old and infirm being bestowed on the strong and lazy, it was enacted that all recipients should wear the letter P worked on the right sleeve, under pain of flagellation and twenty-one days' hard labour. A fine of 20s., half of which went to the denunciator and the other half to the poor, was imposed on every parochial officer who should give relief to any individual not wearing this badge of misery. These measures remained in operation till 1810.

At length, in the year 1697, a step in the right direction was really taken, for the first time, although the results have not hitherto been altogether satisfactory. The parishes of the city of Bristol, in virtue of an Act of Parliament, formed a union, having a common workhouse, the direction of which was vested in a corporation created for that special purpose.

The plan of these common workhouses or unions, which is now applied throughout the whole of England, was conceived for the first time in the reign of Charles II., by a man of great good sense, and one of the most celebrated lawyers of his time, Judge Hale, who at the same time earnestly recommended industrial education for the children of the poor.† There was, however, an error in the projected amendment. According to the ideas of his age, Judge Hale sought to make the workhouse, not a test of destitution, but a mart of industry, and a source of profit to the parish. As might have been expected, it had in the end a completely contrary result; but during the first

\* 8th and 9th of William III.

† In his discourse touching the provision for the poor, he observes, "The want of a due provision for the education and relief of the poor in the way of industry, fills the gaols with malefactors, and the kingdom with idle and unprofitable persons."

years the plan seemed to answer in every respect, by lessening vagrancy, lowering the poor rate, and curtailing the incessant law-suits, which absorbed a considerable portion of the sum destined for parochial relief. The success of Bristol soon led to similar bills in favour of Worcester, Hull, Exeter, Plymouth, Warwick, and other cities. During the whole of the reign of Queen Anne, considerable attention was devoted to the improvement of these establishments, in which work was always regarded as the source of profit for the associated parishes, prejudicial as the system evidently was to free labour.

In 1704, Daniel Defoe pointed out the injustice of this competition, which tended to the increase of pauperism. Instead of listening to this wise counsel, the Legislature enacted a new law, condemning vagrants and sturdy beggars to flagellation for three consecutive days, then to hard work in the House of Correction, and, in case of absconding, to *death*. This was the last of the statutes of good Queen Anne, who died August 1st, 1714, universally regretted, it is said, by her subjects; a regret, however, in which the rogues and vagabonds probably took a very small share.

"The penalties enacted against vagrants," says Dr. Burns, in his history of the Poor Law, published in 1764, "were, till the end of the reign of Queen Anne, worthy of the savages of America. Almost every cruelty has been exercised against them, except scalping." At length, however, civilisation and philosophy began to adopt those principles of love and charity ever inculcated by Christianity, and a more humane spirit manifested itself.

The House of Hanover inaugurated the commencement of its government by a diminution in the penalties hitherto enacted against pauperism. They were replaced by chastisements somewhat less inhumane, though still

marked with an extreme severity; for, although incorrigible rogues were now transported for seven years instead of hanged, the system of repeated and cruel whipping was still persisted in, both for men and women guilty of vagrancy. England was then in the enjoyment of a commercial prosperity, such as she had hitherto never known. In 1762, at the end of the seven years' war, she had added Minorca, the two Canadas, Cape Breton, Louisiana, Nova Scotia, and Florida to her possessions. Five years previously she had conquered Bengal. At home the system of guilds and corporations had given place to industrial liberty. Wages had risen. The national wealth had augmented in the same ratio as commerce and agriculture, but pauperism increased with the increasing population, and every effort to stem the torrent seemed unavailing. The 7th statute of George III., 1767, appointed five noblemen and gentlemen of each parish to watch over the children born in the workhouse, who were to be brought up in the country, and apprenticed to some useful trade, under the title of guardians of the parish poor children.\*

In 1770, the Marine Society was founded, with the aim of embarking orphan and outcast children on board His Majesty's ships of war, as cabin boys and sailors, and thus saving them from the vice and misery to which they were almost certain to fall victims.

The establishment of Sunday schools by the benevolent Robert Raikes, in 1781, was a step in the right direction. Other plans for ameliorating the condition of the poor were not wanting. In 1786, Baron Masères, a gentleman apparently of French extraction, who had

\* Nicholls' "History of the Poor Law," page 68. The same Act contains provision for the apprenticeship of parish poor children for the term of seven years, instead of as heretofore.



doubtless heard of the friendly societies of St. Anne, which had existed in Paris since the year 1694, proposed a bill for establishing life annuities in every parish, which were to lighten the pressure of the poor rates, and to provide the people with a safe and easy method of investing their savings. This measure was passed by the Commons in 1772, but rejected by the Lords; but the same object has been since more effectually attained by the creation of those friendly societies at present so numerous in Great Britain, and by the institution of Savings' Banks. The calculations of the Baron Masères, founded on the ascertained average of human life, still serve as a basis by which the life insurances in London are guided.

The eight years of the American war augmented the poor rates, which in 1784 reached the sum of £2,000,000 sterling, an amount five or six times larger than all the other parochial and county rates put together. Independently of this, the paupers were allowed to receive voluntary contributions, of which the pastors and churchwardens were bound to keep an account; and which, in 1790, amounted to more than £1,000,000 sterling, without including £300,000 provided for the education of the children, making together £1,500,000 sterling, independently of the legal assessment, or £3,500,000 per annum. It was evident that the increasing evil required radical measures to effect a cure. Those which were adopted brought it to a climax.

The 22nd of George III., or Gilbert's Act, as it is generally called, demands especial attention; for, with certain amendments and restrictions, it continued the law of the land till 1834, and some portions of it are still in force even at the present day. By this Act it was set forth, "That notwithstanding many laws for the relief

and employment of the poor, and the great sums of money raised for these purposes, their sufferings and distress were very grievous, and this it attributed to the negligence and misconduct of the overseers. In consequence the entire management and control of the poor was transferred from the parochial authorities to the bench of magistrates, from whom a visitor was to be chosen, who was to control both overseers and guardians. No person was to be sent to the workhouse except the old, the sick, the infirm, and orphan children. As to able-bodied labourers, or women in the enjoyment of health and strength, the guardians were required to procure them occupation suited to their sex and capacity, near their own residences; to maintain, or cause them to be properly maintained, lodged, and provided for, "till such employment shall be procured; to receive the money raised by such work, and to apply it in their maintenance so far as the same will go, and to make up the deficiency, if any; and if there be an excess, it is to be given to the person who earned it, at the end of every month." If a guardian should refuse employment or relief, the applicant had a right to bring his case before a justice of the peace, who, after due inquiry, was empowered to order the complainant weekly or other relief, or to direct such guardian, on pain of a fine of £5 sterling, to send him to the poor-house, or to procure him work.

From the singular contrast between these regulations and the sanguinary penalties enacted against paupers and vagrants during the early half of the eighteenth century, it is evident that a strong reaction had taken place in the public mind. But, even allowing for this reaction, it is really difficult to comprehend the adoption of such measures by the representatives of an enlightened nation. To insist on the overseers always supplying work in their

own or the neighbouring parish, was to take for granted that these localities had always work to give. In that case, why not leave the care of seeking it to the applicant himself? On the other hand, why should he take the trouble to seek it if some one else was compelled to seek it for him? Besides, the labourer, under such circumstances, worked only like a serf, utterly indifferent as to the result of his toil; not like a free and responsible human being, who knows that his wages and his character alike depend on the manner in which his task is performed. It was difficult to conceive a surer method of degrading the working classes, of destroying the sentiment of self-respect, and of impeding all progress and improvement. In 1796, under the impression of the terror inspired by the French Revolution, the Legislature imposed obligations not less prejudicial to the real interests of both employers and employed, on all the parishes of England and Wales. A statute of George III. secured parochial out-door relief to all workmen in temporary illness or distress, who refused to enter the workhouse. Henceforward, the maintenance of whoever chose to declare himself without the means of support, was thrown on the parish, and this became the source of increasing abuses. In 1788, a bill was presented by Sir William Young, for the relief of the agricultural population who had been out of work during a great portion of the winter, authorising the vestries to levy an extra rate for that season only, and to send the day labourers to collect it themselves among the parishioners; two-thirds of the wages were to be paid by the employer, the other third from the poor rates. The labourers, thus authorised, went from farm to farm, in groups of forty or fifty at a time, demanding work. If they could not get it, they

\* Nicholls, vol. ii., page 97.

received from the parish wages for doing nothing : this was called the system of the *roundsmen*. The rural parishes were well disposed towards a measure of which they reaped the immediate benefits, while they were tolerably indifferent to its ultimate results ; for the farmers, who formed the majority of the ratepayers, had their work done at very small expense to themselves—a portion being paid by the shopkeeper, the artisan, the curate, and, in fact, the whole community. Lest anything should be wanting to complete the demoralisation of the labouring classes, it was proposed to empower the magistrates to regulate the rate of wages. Pitt opposed this measure ; his extreme solicitude for the lower orders made him regard it rather as a pretext for arming the master manufacturers against the workmen, than as a means of adjusting the balance between the rate of labour and the price of food. “Commerce, industry, and exchange,” he said, “always find their own level, and rules and regulations only interfere with their natural course.” The great minister was fully conscious that all the good effects which might have been expected from terms freely debated between the employer and the employed, were neutralised in a great degree by the law of settlement, which forbade the artisan from seeking that market where he could dispose of his industry to the best advantage. Pitt demanded the abolition of this vestige of servitude, and the free circulation of labour ;\* but he demanded it in vain. He likewise urged the centralisation of the *service of public relief*, and the annual presentation to Parliament of a report of the condition

\* He declared the settlement law had at once increased the burdens of the poor, and taken from the collective resources of the State to supply wants its operations had occasioned, and to alleviate a poverty it tended to perpetuate.

of the labouring classes, that Government might have its attention continually alive to their interests; he proposed, in short, a Poor-Law budget.\* In these matters this eminent statesman was before his time. He set forth principles which he did not live to see carried out. But not satisfied with demanding the abolition of the law of settlement, which he wisely regarded as impolitic and unjust, Pitt suggested that the parish should give all labourers a certain sum as a *supplement* to their wages, which he pronounced insufficient; that it should advance them money for the purchase of land, cattle, or even a share in a *business*; and finally, that Government should afford aid to the small proprietors! We can only suppose that, in making such monstrous propositions, Pitt felt convinced beforehand of their rejection, while at the same time he hoped to reap the benefit of having brought them forward, in increased popularity. Be that as it may, the bill of 120 articles containing these various propositions fell to the ground under the keen sarcasms of Jeremy Bentham, who, in a pamphlet published in 1797, against the new taxes—the “*extensions*” as they were called—demanded by the minister, baptised them, pleasantly enough, as “the article of incapacity,” “the cow’s-penny,” and “the assistance of the opulent.”

The already existing abuses sufficed to render the compulsory assessment heavier and heavier, and in the year 1802 it amounted to not less than four millions. It had more than doubled in seventeen years. The decrees of Berlin and Milan, establishing the Continental system, gave a terrible blow to commerce, and consequently to the working classes; the effects of which Government endeavoured to palliate by forbidding all

\* This proceeding was adopted and rendered a portion of the law of the land by the Poor-Law Amendment Act.

intercourse with France and the countries subject to its sway. This attempt, however, was more fatal than advantageous, for it brought about the war with America—a conflict equally disastrous to both parties, and which commenced in June, 1812, and was terminated in 1814 only by the treaty of Ghent. The events which took place in Europe from 1803 to 1815 entailed enormous expenses, particularly during the last years of the struggle, when England had all the Continental armies in her pay. The annual amount of taxation, which at the peace of Amiens, in 1802, amounted to £35,000,000, had risen in 1815 to £72,000,000. During the same period, the national debt had increased from £520,207,101, as it stood after the peace of Amiens, in 1802, to the prodigious sum of £861,039,049. Despite this absorption of capital, the productive forces of the country developed themselves with such wonderful rapidity, that from 1805 to 1809 the exportation rose from £31,000,000 to £46,000,000 sterling; and in 1814, despite the Continental system, they had reached the sum of fifty-three millions and a half. But during this period, war and bad harvests had often raised corn to double its ordinary price, while wages had not followed the same ratio. In consequence, the labouring population, which was continually on the increase, had to struggle with the utmost distress, despite the augmentation of wages given by the parish according to the number of their children. In 1817, Lord Castlereagh declared that out of twenty or twenty-one shillings per pound paid for the poor-rates, fifteen at least were given as supplementary wages to the working men, and that such was the general habit of the vestries. After a long discussion, Mr. Curwen demanded the formation of a committee to seek, if not some remedy, at least some palliatives for the growing evil. The means which he

proposed, were—an income-tax of ten per cent., a tax on land of twelve and a-half, and a weekly tax of two and a-half per cent. on the wages of the labourers. In forcing this class to contribute to the relief of pauperism, Mr. Curwen hoped to raise their moral condition to simplify the much-vexed question of settlement, and thus to put an end to the ever-recurring litigation, which absorbed a large portion of the funds destined for the poor. Lord Castlereagh, the organ of Government in the House of Commons, consented to the formation of a committee, but expressed great doubts as to the possibility of realising the wishes of Mr. Curwen. Without changing any of the dispositions of the existing law, the minister proposed that parochial relief should be given to the able-bodied pauper, only on condition of his performing a certain quantum of labour; and he carried this principle, sound in itself, so far as to declare that he would employ the pauper in digging holes one day and filling them up the next, rather than leave him with nothing to do. The French Republican Government of 1848 certainly did not suspect that it had been anticipated, in the system of national workshops, by a leader of the Holy Alliance.

After four months of deliberations and inquiries, the committee presented its report to the House, July 14, 1817. By a singular contradiction, which can be explained only by the quackery to which men resort when every other resource fails them, after having laid down the true basis of the relations between capital and labour, demand and supply, the committee went on to counsel the establishment of parochial farms to give employment to the labourers out of work. Two wiser enactments followed: the Parish Vestry Act, and the Select Vestry Act, by which all parochial business was placed in the hands of the more intelligent of the rate-

payers, and the number of votes each could possess was proportioned to the amount for which he was assessed.

So matters continued till the year 1824, when the attention of Parliament was again called to the necessity of repressing the spread of pauperism. Three classes of individuals were specified as unfit objects of relief. Firstly, those who had fallen to the charge of the public by their own laziness and disorderly conduct; secondly, rogues and vagabonds; and thirdly, incorrigible rogues. The first category were to be punished with a month's imprisonment and hard labour; the second with three months of the same; the third with twelve months and the lash, at the discretion of the justices of peace.

Till the reign of George IV. the pauper lunatics had remained exposed to the most cruel treatment. Perhaps the long insanity of George III. inspired his son with a certain interest in the unhappy beings afflicted with this terrible calamity, and destitute of every means of alleviating their sufferings. A statute of 1828 authorised the magistrates to erect asylums for the insane, either for each county, or for several adjacent counties, by means of voluntary subscriptions, rates, or loans; they were besides enjoined to secure the unfortunate beings admission to a public hospital, or to some establishment authorised to receive this description of patients.

The Legislature had as yet paid no attention to the recommendation of the committee with regard to parochial farms; but by an Act of 1831 the quantity of land which parishes were authorised to purchase or hire, to afford occupation to labourers out of work, was extended from twenty to fifty acres. Another statute of the same year authorised the churchwardens and overseers, with the consent of the Treasury, to detach fifty acres of the lands belonging to the Crown, and devote them to this particular



species of relief. It was thus still recognised, that any individual who could not, or asserted that he could not, obtain employment, had a right to claim it at the expense of the rest of the community. The principle which imposed on the parish officers the duty of finding work for every one who wanted it, a principle which was the necessary consequence of the statute of the 59th year of George III., continued to exercise its pernicious effects on the nation at large. The Government, indeed, sought an expedient in sending back the poor born in Guernsey, Jersey, Scotland, and Ireland to their native shores ; but, as may be supposed, this did not greatly lighten the burden of the ratepayers.

In 1834 the population consisted of 14,372,000 souls, and the poor-rates, independently of parochial and county taxes, amounted to more than £6,000,000 sterling, or 8s. 9½d. per head. Thus, while the population had only doubled since 1760, the poor-rates had increased fivefold. The circle of pauperism had widened to such a degree that it now embraced the greater part of the labouring class, who seemed to have lost all foresight, all feeling of personal dignity. When two young people married, their first care was to address themselves to the guardians, and to demand a cottage, a bed, and the necessary furniture. If a child was born, there was a new claim for the expenses of lying-in and baby-clothes ; if it died, the parish was expected to pay for its burial. If it lived, on the parish devolved the expenses of its education and maintenance. "In youth and old age, in health and sickness, in seasons of abundance and seasons of scarcity, the parish was looked to and relied on as an unfailing resource, to which every one clung, and from which every poor man considered he had a right to claim the supply of every want, even though such want was caused by indolence, vice,

and improvidence."\* In many parts of the country the poor-rate pressed so heavily upon the farm-tenants that they could no longer pay their rents, and whole parishes went out of cultivation in consequence ; but the labourers considered it still insufficient, and seeing in every rate-payer an enemy, always ready to contest what they had been taught to believe their due, they awaited with impatience an opportunity of avenging themselves upon the whole class. A secret hatred divided the country into two camps, and towards the close of 1830 it had reached a climax. In the agricultural districts of the south of England the hostilities commenced on the part of the labourers and operatives, by burning hay-ricks and breaking machines. From that moment there was no peace for the farmer or manufacturer, more especially the former, who in vain drove the tramp and vagrant from his premises, and kept watch and ward over his property, which the incendiaries had sworn to burn to the ground. The military was called out, as in 1816 ; blood was shed on both sides. Any one who denounced the offenders, and procured their conviction, received a reward of £200, and it not unfrequently occurred that this reward was claimed by the very individual who had instigated the crime, while his blind instruments carried the secret with them to their dishonest graves. Such were the sad results which had been obtained by substituting the right to labour and to relief, for the system of individual and collective charity.

The forebodings of the committee of 1817 were realised.

In any other country courts martial would have been summoned, and the incendiary districts placed in a state of siege. In England, Government appointed a commis-

\* Nicholls' "History of the Poor-Laws."

sion to make a full inquiry into the practical operation of the Poor Laws, and the manner in which those laws were administered. The commissioners carried on their labours for two years. On the 20th of February, 1834, they presented their report to the House of Commons, detailing the position of the labouring classes, and the parishes of the United Kingdom, to which two only presented an exception. These reports threw a completely new light on the subject. Hitherto it had been supposed that the rapid increase in pauperism arose from the insufficiency of parochial relief. It was now demonstrated that its real source was the very excess of that relief. This had been proved by the author of the volumes in which we have found a greater part of these details, Sir George Nicholls. He had been named Poor-Law Inspector at Southwell in 1821, and having persuaded his colleague and the churchwardens to enter into his views, he commenced by reducing the sums distributed in out-door relief to what was necessary for the supply of the absolute necessities of life. He then proceeded to the re-organisation of the workhouse, and to the separation of the two sexes; he divided the paupers into *classes*, and reduced the diet, so that, although still more nutritious than that which could be commanded by the majority of the labouring class, it ceased to offer an attraction to the lazy and vicious, and a tempting compensation for the restraint imposed. Thus the offer of admission became the touchstone of real distress. Out-door relief to able-bodied labourers was diminished, and they were warned that at the end of two years the parish would no longer consider itself bound to procure them employment; the workhouse was open to all who could not, or would not, find work. Till now the greater part of the cottages had not been comprised in the general assessment. Henceforward the

poor-rate was to be levied on *all* householders, however humble. Thus it became a common charge. Instead of an enforced taxation of one class for the benefit of another, it was a tax on all, for the benefit of each. Hence it followed, that the guardians felt themselves bound to exercise the severest economy in the interest of the poor themselves.

This measure, besides its financial advantages, had another most beneficial result. It restored to the labouring classes a sentiment of dignity which they had almost forgotten. They gradually began to feel an honest pride in proving, by the receipts of the tax-collector, that they too took their just share in contributing to the support of the community. Finally, a school was opened in a building contiguous to the workhouse, where the pauper children received primary instruction and daily food, and despite all this the poor-rates were reduced from £410,000 sterling to £133,000.

This reform, accomplished by means so simple and direct, was not lost on the Commissioners of the Board of Inquiry. They recommended it as the basis of the new Poor-Laws, and urged that the measures which had produced so marvellous an improvement in Southwell should be rendered obligatory on all the parishes of England. While acknowledging the impossibility of a uniform rate for the whole country, and the expediency of an organisation which might be adapted to the peculiar circumstances of each locality, the Commissioners pointed out the urgent necessity of a central authority, that might secure something like uniformity in the administration of the law. On the 17th of April, 1834, Lord Althorp moved that leave be given to bring in a bill to alter and amend the law relative to the relief of the poor. The motion, supported by Government, was read a second time

on the 1st of July, and despite a powerful opposition, which maintained that it was a bill of pains and penalties against the poor, it passed the House of Commons the 21st of the same month.

In the House of Lords the Bill found a warm and powerful advocate. Lord Brougham, the people's truest champion, took a wide and correct view of the measure, and lent it the aid of his acute reasoning and his lofty eloquence. A long discussion ensued, but the success of the bill was at length determined by the adherence of the Duke of Wellington. Still, while expressing his decided opinion that the Central Board should enjoy the extraordinary powers with which it was proposed to invest it, he urged the necessity of subjecting that board to the supervision of the Ministry and the House of Commons. On the 8th of August the bill thus amended was read for the third time, and on the 14th it received the royal assent.

Few reforms had so fully, so exclusively occupied the attention of the country as the statute of the third and fourth year of William IV., for the amendment and administration of the Poor Law in England and Wales. This measure presents the double character of an *organic* reform and of a public act of administration. It is founded on the principle that society is bound not to allow any of its members to perish from absolute destitution and want of the bare necessities of life ; but, on the other hand, whoever subsists at the expense of the community must content himself with that mode and degree of relief which is judged most consistent with the public interest. It had two objects : the first, to elevate the labouring classes from the condition of idleness and degradation, in which they had been plunged by the old Poor Law ; the second, to arrest the progress of pauper-

ism, and to diminish the assessment on landed and house property ; for it was evident that if that continued at the rate it had attained during the last thirty years, it could not fail ere long to paralyse agriculture, and to destroy by famine or pestilence whoever had not the means of emigrating. The enactments *ordering the punishment* of the mother or the supposed father of an illegitimate child were repealed. The former was bound to bring up and maintain her offspring till the age of fourteen ; but if she married in the interim, the husband became responsible for its support. The Act authorised the Crown to name three Poor Law Commissioners ; their functions were to continue five years. They could not sit in Parliament. Charged to carry out all the regulations concerning the due administration of the new Poor Law, and the condition of the workhouses, the commissioners had the right of forming associations of parishes, or unions, wherever they deemed it necessary. Two magistrates could order out-door relief to be distributed, provided one of them certified the inability of the applicant to gain his livelihood by his own labour.

The administration of the union, and that of the separate workhouses, was entrusted to boards of guardians, of which the magistrates resident in the country were members by right. Finally, the orders of the commissioners might be annulled by the King's Bench.

Such was in substance the statute, which, combined with that of the 43rd year of Elizabeth, may still, save certain amendments and modifications, be regarded as the fundamental law of parochial relief in England. Immediately after the passing of the Act the three commissioners entered on their functions. The application of the new system, the creation of local boards of guardians, and, above all, the regulations prescribing

that half the relief should be given in *kind*, led to several riots, but order was promptly restored. The terms of admission, and the separation of husband and wife, called forth violent opposition. The public press, with scarcely a dissentient voice, declared it cruel and anti-Christian to put asunder those whom God had joined together; but the measure, harsh as it appears, was found absolutely necessary, to prevent the poor taking up their permanent residence in the workhouse, and giving birth to a race of hereditary paupers, as was so frequently the case under the old Poor Law, and to save the country from falling once more under the heavy load of taxation which had weighed it down and nearly crushed it. In 1834 the poor-rates amounted to above £6,000,000 sterling; in 1839 they were reduced to four millions and a half. Many abuses were swept away, and the result was a decided diminution both in pauperism and expense. When the able-bodied labourers, who had hitherto depended on the parish for procuring work, found themselves reduced to the alternative of finding it themselves, or entering the union, they speedily discovered that they could obtain it, and they contrived to get on, although the payment which had hitherto been made them, in addition to their wages and other pauperising measures, was suppressed. The local boards of guardians were, indeed, less detested than might have been expected, for the odium of all unpopular measures fell principally upon the Poor Law Commissioners, who were placed too high to be affected by it. It is not improbable that this preserved public order under circumstances that threatened a social revolution. About two years later a step was taken in favour of that class who were chargeable to the parish, by a modification of the law of settlement, which weighed so heavily on them, though it was conceived by

many to be favourable to their interests. This Act made "persons resident five years in a parish wholly immovable; widows residing in the parish where their husbands died, immovable for the first twelvemonth; and persons chargeable through temporary sickness or accident only, immovable on account of their chargeability." \* This measure was demanded, both by justice and policy. Matters had changed since 1662. The commons and wastes of the seventeenth century were so diminished, and the value of land so increased, that all dread of squatting was a tradition of the past. The greater part of the forests had disappeared, and what remained were too well guarded to admit the possibility of their being set on fire by tramps and vagrants. On the other hand, the new law, by compelling those parishes where a number of poor had congregated to keep them, made the poor-rates fall heavily on many places quite inadequate to the charge; while those still free from any undue burden, and dreading its being imposed on them, resorted to measures of increased rigour to prevent so undesirable an event. Thus an antagonistic interest was established between the parishes, so difficult is it to find any means of administering to the Poor Law without doing almost as much harm as good. When at the end of five years the Crown re-appointed the members of the Poor Law Commission, it was for one year only. It was found, however, that this short tenure of office not only impaired their authority, but occasioned considerable embarrassment, which was increased by the complication of events succeeding each other from 1838 to 1843, such as the commercial crisis, dearness of food, and the rapid increase of population. During this interval the poor-rates rose

\* "Law of Settlement and Removal of the Poor," laid before the House, 1851.



from £4,000,000 to above £5,000,000 ; but the situation of the ratepayers had not really deteriorated, for this augmentation of the public expense was met by a corresponding or greater increase in the public wealth.

It had been supposed that, in excluding the Poor Law Commissioners from seats in Parliament, a guarantee had been obtained against public or local influences ; but as this exclusion banished them from the only ground on which they could successfully defend the system they had to carry out, the Government judged it necessary to assimilate them in this respect to the members of the East Indian Board, the Board of Trade, &c. This was accomplished by the Bill of 1847. The number of the Commissioners was no longer limited, and the Lord President of the Council, the Lord Privy Seal, and the Secretary of State were to form part of them. The Commissioners, appointed like the first for five years, were empowered to claim the assistance of two secretaries, one of whom, like the president, was to be a member of the House of Commons ; the Commissioners were also authorised to name inspectors to visit the workhouses, to examine the accounts, and to carry on inquiries of all descriptions. Thanks to these new measures, vagrancy and pauperism once more declined. The poor-rates, which in 1838 were £6,000,000 sterling, began to decrease, and in 1850 amounted only to £5,395,000.

Undoubtedly the Poor Law Amendment Act opposed a salutary barrier to the inroads of pauperism, which was eating like a canker into the heart of the English nation. In one sense, it is difficult to overrate the importance of this reform ; but although it effected an immense saving to the country by preventing parochial relief from being bestowed on those who did not need it, and elevated the social and moral condition of the working classes, it

ould not seriously affect the rate of wages or the price of bread. That the former has risen, and the latter decreased; that, despite immense and wide-spreading misery—the result often of improvidence and drunkenness—the national prosperity has increased, is a fact that cannot be disputed. This state of things, satisfactory as far as it goes, is generally attributed to the triumph of free trade; and still better results for the working classes are anticipated from its continued operation. To hear some enthusiasts indeed, we might be led to expect that it would bring a golden age upon the earth. In these views we cannot quite concur. The commercial reform introduced by Sir Robert Peel—or rather by Mr. Richard Cobden—was both necessary and valuable; but its importance is to be estimated, in our opinion, rather by the mischief it has prevented than by the good it has effected. It has averted the imminent peril of a famine or a revolution; it has favoured agricultural production and manufacturing industry; it has accumulated new wealth in the hands of landed proprietors, capitalists, and speculators: but has it really diminished the price of food? has it augmented the rate of wages of that portion of the working men to whose labour we are indebted for the cheapness of so many articles of comfort and luxury? To obtain it, the dealer, whose profits depend on the quantity of goods of which he can dispose, is compelled to reduce those profits to the lowest remunerative sum possible, and of course to diminish the wages of the artisan in proportion, especially of that class with which the market is too often glutted—those not highly skilled; and this accounts for the fact that so many of the latter are scarcely able to obtain a pittance for a hard day's work.\* Indeed, it may be questioned whether free trade

\* Since 1859, when these lines were written, great changes have

does not tend to make matters worse rather than better, by bringing so much foreign and home competition into the market. Unless employers decide on adopting a minimum of wages, to which as may be supposed they are by no means inclined, it is difficult to say where matters will stop. It has been urged that a succession of strikes might remedy the growing evil. But who could counsel such a step, so disastrous both to employers and employed, even were it certain to be attended with the results desired? And after all, who would profit by it? Only those workmen who are well, nay, highly paid—such as stonemasons, bricklayers, carpenters, joiners, first-rate tailors, shoemakers, &c.—gaining from thirty-five to thirty-six and even forty shillings per week, who are backed by trades unions; not the sweating tailor or shoemaker who think themselves happy if they can earn ten or twelve shillings. As to the poor seamstress, stitching in a garret for fourteen hours together at eight-pence per day—what possibility is there for her even to make her complaints heard? She must die of hunger, or seek a refuge in prostitution.

Commercial reform *could* not diminish pauperism; and if the poor-rates decrease in certain years, it may fairly be questioned whether this apparent amelioration is not purchased by an interpretation of the Poor Law contrary to that contained in the statute of the 43rd year of Elizabeth; a statute which is always held up as the fundamental law of the land, but which is violated whenever circumstances demand it. Nor is this condescension to the law of necessity an event of rare

taken place in this respect, at least as far as the major part of the artisan class is concerned. Everywhere wages have risen, and are continuing to rise.—*Note of Translator.*

occurrence from which but a few individuals have to suffer. In years of famine or commercial crisis, men and women dying of hunger are turned from the workhouse loors and fall to the charge of private charity, which to the credit of England, we must add, is almost inexhaustible. With respect to the non-execution of the laws, there is a sort of tacit compromise between the Government and the people, who grant each other reciprocally all the latitude demanded by circumstances; and this wonderful elasticity in the relations between the governing and the governed, is not perhaps one of the least *powerful causes* of the stability of political institutions in England.

But that which has proved most efficient in preserving that country from social revolution is the extraordinary development which emigration has taken since the year 1846. The spirit of enterprise and adventure, excited by the recent discovery of the gold mines in the Australian colonies and California, has prompted thousands of the inhabitants of Great Britain to quit a land where their labour can at best procure them only a precarious existence, for far-distant shores. This movement, which still continues, is carried on partly by arrangements made with special commissioners for the gratuitous transport of a certain class of indigent workmen,\* partly independently of all official assistance; so that between 1846 and 1859, nearly 3,000,000 individuals left the United Kingdom. But this prodigious emigration, which has no parallel in history, save that of the barbarians, has not diminished the amount of misery among the destitute class in England, because the greater part of the emi-

\* The system of free passages has been now almost entirely discontinued in the Australian colonies, except in the case of female servants.

grants are Irish ; and in England the total of births exceeds annually the amount of emigration. Thus in 1852, the year in which the emigrants were the most numerous, the population of England and Wales augmented by 216,000 by the surplus of births over deaths, while emigration relieved it only of 143,767.

What have been the definite results of the Poor Law Amendment Act? In 1857, 20 single parishes and 585 unions, comprising 13,964 parishes, were subjected to the system proposed by the Act of the 14th of August, 1834; 15 single parishes and 21 unions, comprising 200 parishes, had obstinately maintained themselves as single parishes, under Gilbert's Act; and 89 acknowledged no laws, save the statute of Elizabeth. These 14,640 parishes contain a population of 17,927,609 souls, on which the poor-rate levies 8s. 5½d. per head. This is the average of the year 1803, but it was considerably diminished in 1853, when the assessment was valued at 5s. 6d. per head. Of this sum only £3,676,522 were devoted to parochial relief, the rest went to the other expenses of the counties and boroughs. With that absence of systematic arrangement peculiar to the English administration, the funds destined to the most opposite uses are all flung pell-mell together, just as duties of a completely different character are assigned to the same functionary. A canon of Bristol, for instance, is charged with the examination of candidates for *admission to the School of Artillery*, and we not unfrequently see the church-rates spent for the destruction of foxes and sparrows.\* Of the £3,676,522 above mentioned, the interest of the loan absorbs more than £200,000, and the salaries of the clerks above £52,500; the poor receive only £3,440,000, of which £525,000

\* See the discussion in the House of Commons, June 8th, 1858, of the Church-Rate Abolition Bill.

are devoted to the maintenance of the workhouses, and the rest to out-door relief. To these sums, however, must be added £320,000 for the support of pauper lunatic asylums, and £240,000 for medical attendance ; which, added to the sums already given, raised the amount of legal assistance in England, in 1857, to above £4,000,000. The number receiving parochial relief was 843,806, of whom 123,382 were inmates of the workhouse, and 720,424 out-door paupers. In 1858, this number reached 908,186. Still this is only the eighteenth part of the population ; and if it comprised all those who need assistance, the condition of England, so far as pauperism is concerned, might be considered one of the best in Europe. Unfortunately, there is an immense amount of destitution not comprised in the Poor Law returns, and multitudes of unfortunates depend entirely for support on private charity. The provision for the casual poor, in particular, is utterly insufficient ; and the refusal of parochial relief, in winter especially, not unfrequently leads to absolute starvation.

But before turning to this last category, let us examine the condition and the plan of the workhouses themselves, and the moral influence which this mode of assistance exercises on the inmates, the number of whom varies, according to the season, from 400 to 1,000 in the country, and 500 to 2,000 in the metropolitan unions. At first sight everything appears admirable. Vast buildings with spacious courts, and not unfrequently (in the country at least) surrounded by gardens ; a careful separation of age and sex ; large dormitories well ventilated, with a lamp burning all night to admit of the necessary supervision ; workshops, where the boys are taught different trades ; schoolrooms and playgrounds ; apartments well warmed, well aired, and exquisitely clean ;

plain, but wholesome and sufficient food and clothing : all seems to secure the inmates of these abodes a degree of comfort beyond anything the greater part ever knew previous to their entrance ; and all, or more than all, to be expected, or indeed desired, under the circumstances, since it exceeds what can be commanded by the majority of working men. Each of these individuals cost between 3s. and 4s. a week, exclusive of the officers' salaries, repairs, medicine, &c. The staff, as a rule, consists of the master, the matron (generally his wife), the school-master and schoolmistress, the porter, the paid nurse, the master-tailor and shoemaker, and the superintendent of out-door labour. A chaplain and doctor are attached to the establishment, but do not reside on the premises.

So far everything seems as it ought to be ; but a more minute inspection tends to modify this favourable impression. Not that we are inclined to endorse the objections of certain English writers, who, in their generous but one-sided philanthropy, forget that these men and women, who too often have been brought into the union by vice and intemperance, or, at the very least, by indolence and carelessness, are supported by rates charged in a great measure on the class immediately above them, on honest, hard-working agricultural labourers, who by ten hours' toil can but just keep themselves and their families above want, and prevent their being brought into the very condition of those they now aid in maintaining. It has been said that out of 500 paupers, fifty perhaps are really deserving ; and this applies still more to the women than to the men. A great part of the former belong to the very worst class, leading lives of open infamy, consorting with thieves and pickpockets, entering the work-house to be confined (thus adding another to the illegitimate children whom they drag after them), and leaving it

to re-commence the same course of vagrancy and sin. It is evident the workhouses must not be made too comfortable, or they would act as temptations to laziness and vice. Still there must be something radically wrong, when we find many poor openly declaring their preference for the prison over the union, despite the degradation attached to the former. Not only do they often commit some offence with the express purpose of being thrown into gaol, and passing the winter, with good food, in a warm, well-ventilated cell ; but even when fairly in the workhouse, it is by no means unusual for them to perpetrate some infraction of the rules, in order to exchange it for the prison. The fact is, that although workhouse fare, in most houses at least (for it must be confessed that a great diversity prevails among them), is as good, and indeed better than the labouring man and his family can afford at home, it is still far less abundant and nutritious than the allowance given to prisoners, especially to those sentenced to long confinements.

Now with the poor and uneducated the amount and quality of food take precedence of almost any other consideration, nor is this wonderful, since, to obtain it has from their earliest recollections been the one great aim of their existence. If the pauper, already hesitating perhaps between vagrancy and crime, knows (and he generally knows too well) that the convict is supplied with a hot meat dinner every day, while he has it but three times a week, it is often sufficient, strange as may seem, to determine his preference for the prison over the union. All this does not make us desire that workhouse fare should be raised—as a general rule, at least, so far as the able-bodied are concerned. But surely there is a difference between the lazy and vicious, to whom nothing should be granted save the necessaries of life ; and the aged, honest,



and infirm poor who have contrived to bring up families (now from their own poverty unable to assist them) without parish aid, and are too frequently, after an honest, chequered, laborious existence, left in their declining years friendless and alone. Doubtless great care is necessary to prevent the idea of ending life in the workhouse from becoming too familiar to the peasant's mind, a result which would be deeply to be deplored, for it is fatal to all independence and dignity. But a ward might be set apart for the really deserving, where certain little indulgences, not granted to the rest, might be allowed them.\* This would certainly do no harm.

But there is another cause why the population of the prisons is too often recruited from the union. The want of classification among the younger inmates, both in the house and in the schools. In themselves these schools are excellent; the teachers are full of zeal and intelligence; the system of instruction is good; happier and healthier faces we have seldom seen than in many an English workhouse. Great efforts are made to instil good principles into the minds of the children. They are retained until the age of fourteen, and even later. But the essential principle of keeping the child still untainted from the contamination of others of his own age, who are already initiated in vice, the offspring of tramps, vagrants, and prostitutes, is not sufficiently attended to. Lessons in crime are soon learned, but never perhaps forgotten. Nor is it always possible to prevent contact between the children and adult paupers, which, to say the least, must have a deleterious effect on their young minds, for it

\* In some workhouses their condition is already very comfortable—in the Clifton Union, for example, where they have little plots of ground assigned them to cultivate in summer, and a most comfortable room to sit in in winter.

suggests the idea that there are other ways of living in tolerable comfort beside honest hard work, and familiarises them with the thought of depending on charity for their daily bread, instead of on their own exertions.

That these are radical defects, too often neutralising the good results which might otherwise be fairly expected from the education we have described, is sufficiently proved by the fact, that without reckoning the contingent furnished by the union to the criminal population, the most refractory and disorderly inmates of the workhouse itself are precisely those whose childhood was passed in these establishments, and who seem to have nothing in common with the other members of society. Never having experienced the blessed influence of home ties and affections, they have grown to manhood knowing only the workhouse, the master, and the overseer. The industrial training afforded them was, until lately, of as imperfect a description as the moral, and served only to glut the market with a crowd of unskilled artisans, whose competition lowered at once the rate of wages, and the quality of the article produced. This has to a certain extent been remedied. The boys are now taught shoemaking, tailoring, and carpentering; the girls sewing, cooking, and domestic duties; the former are bound to a trade on leaving the workhouse, the latter apprenticed or placed in service. Still it appears that but too often the girls, at least, turn out ill. It is only the lower orders of society, petty shopkeepers, or others of inferior means, who take them either as apprentices or servants. They are not unfrequently harshly treated; they have no friends to protect, no homes to shelter them, and the results may be conceived.

Still this rule has many exceptions, and there are workhouses where the master and matron, schoolmaster

and schoolmistress, do not consider their duties terminated when the boy or girl has left the walls of the establishment, but continue to watch over and advise them, and lend them a helping hand if they get into difficulties.

One of the most defective points of the union system, however, is that which regards the care and nursing of the sick, curable or incurable. Since the new Poor Law has been in active operation the able-bodied population of the workhouse has decreased, and at least two-thirds of the inmates are old, ill, imbecile, or disabled by chronic infirmities. Now the wards appropriated to these unfortunate creatures are, generally speaking, deficient both in space and comfort. This is particularly the case in some of the metropolitan workhouses. At St. Martin's-in-the-Fields, for instance, they are scarcely nine feet high, dark and gloomy. At Bermondsey, again, they are miserable-looking places, and one's heart aches to think of the wretched sufferers who have to lie there day after day, many of them with no hope of alleviation on this side the grave. Even in the county workhouses, where a far greater amount of space and height is allowed, there is still one defect. The charge of the patients is confided to men and women chosen from the paupers themselves, and consequently utterly unfit for the task. The nurses are old women, who are only controlled by the matron, and whose knowledge of their duties is necessarily most imperfect. Many of them are habitual drunkards, and their habits of intoxication are not likely to be diminished by the glass of gin to which they are entitled, as a reward for their services. It must be confessed, that the sick and the dying, who have none to tend them in their last hours, save these ignorant, and often tyrannical, old women, are deeply to be pitied, for the doors of most workhouses are closed against the ladies of the district, lest they might

in any way interfere with the regulations of the establishment.

The chaplain, indeed, attends those who desire his aid, but his visits are rare, and far too brief, to afford them much consolation. The incurables, those unfortunate beings, bowed beneath the weight of sufferings which sometimes last for years ere death comes to their relief, are mingled with the infirm and the aged ; for in all England there is but one special asylum for the first, and scarcely any for the second. This is the dark side of the picture, and makes us comprehend why to die in a workhouse is to the English peasant the very acme of misfortune. It is not our purpose to enter into the question how these evils might be, obviated, and indeed there are few problems more difficult of solution ; but it is evident that if the right to assistance is admitted at *all*, it is precisely the infirm and incurable who have the greatest claim to that assistance. It is equally clear, that if the sick poor are to be provided for at the expense of the public, it would in the end be as cheap, or cheaper, to give them efficient care and nursing, so as to hasten their recovery as much as possible, and thus enable them to gain an independent livelihood. As to the incurable, a ward might surely be added to each workhouse, where some little comforts might be afforded to soothe their progress to the tomb. Undoubtedly, this would swell the rates, a serious evil, when we remember on what class the weight principally falls ; but a juster and more comprehensive system of assessment equalising the tax would remove this difficulty.

There is another class of women, who find refuge within the workhouse walls, who are indeed among its most habitual inmates, who do more, perhaps, towards injuring the morality of the rest than either tramps or

vagrants. These are the women, who, after leading the most dissolute lives, come here for their confinements, and present to their companions not yet hardened in sin the spectacle of unblushing vice and shameless profligacy. Their place is the penitentiary, and not the workhouse.

Then there is the casual ward, rarely shown to strangers, the aspect of which indeed is unutterably painful; at least, in London, for in the country these wards are little sought, and seem to answer their purpose pretty well. But it is otherwise in the great centres of population. Here are thousands who rise in the morning without knowing how they are to provide for the wants of the day, and who, when night comes, find themselves, in winter at least, perishing with cold and hunger, without a farthing to buy a morsel of bread, or a roof to cover them. Yet, according to the provisions of the Poor Law, no one must perish by actual starvation. The casual ward, therefore, is open, or supposed to be open, at all hours to those who demand shelter. Now, certainly, it can neither be expected nor desired that anything like comfortable accommodation should be provided for the applicants, a great number of whom are tramps and vagrants; still, if admitted at all, common humanity at least should be observed in the treatment they receive. The wards are, generally speaking, dens in which one would scarcely like to put a dog of any value; without light or fire, and exhaling an odour intolerable even to the inmates, whose senses, as may be supposed, are not peculiarly delicate. A bare board is their only bed, a mat their covering. Their rags are removed from them before entering the shed, to be restored to them next morning (a very necessary precaution, considering the state they are generally in); but in many refuges no garment is given to supply their place, so that men and

boys remain during the night in a state of absolute nudity. Nothing can excuse this want of common decency, and we were glad to find that in the better casual wards shirts were provided for the use of the applicants.

At six in the morning they are roused to break stones in the courtyard till nine, when a pound of bread is given them, and they are dismissed. Those who are suspected of having been there on a previous occasion have to work like the rest, but when the task is done, they are turned out as hungry as they came.\*

Some degree of severity may be necessary to prevent the abuse of these refuges, wretched as they are, but surely this is carrying it too far. "To give a stone to those who ask for bread," says an English writer on this subject, "was cited by our Divine Saviour as the most inconceivable of cruelties. Yet this is done in our own time, and in our own land." Nor is this miserable asylum open to all who claim it. Many an unfortunate wretch, on arriving at the threshold of the workhouse, learns by a placard affixed to the door that the casual ward is full; and the refusal of parochial relief in these instances not unfrequently leads to actual death by cold and starvation.

From a report presented to the House of Commons, in the winter of 1859 it appears that 66,009 persons were admitted to the casual wards in fifteen of the principal workhouses in London.

We see that, despite the continued amendments of the law, and the ceaseless efforts to improve the existing administration, many abuses still exist both in the one and in the other; but it would be wronging the English to suppose that they suffer these abuses to pass without seeking to remedy them. To render parochial relief more

\* All this has been altered. (See Appendix.)

accessible, the Poor-Law Commissioners, in a circular dated November 30th, 1858, suggested to the metropolitan boards of guardians the establishment of five spacious refuges, by the formation of as many unions, towards the expense of which each parish was to contribute according to the rate of its assessment. In addition to the advantages of removing from the close neighbourhood of the workhouse those nocturnal guests, whose presence is undesirable in every respect, this plan would divide the expenses of parochial relief more equitably, and thus carry out a reform which has long been demanded. Even this would afford but an insufficient remedy.

Formerly it was the custom for charitable individuals to build or leave bequests for the foundation of almshouses, which provided for the wants of that most pitiable class of society—the honest and industrious aged and infirm, instead of herding them with the vicious and idle in the parish workhouse. Some of these almshouses are still in existence; many have fallen into decay; and it is long indeed since any new ones have been erected. “Where,” says an English bishop, “are the charitable institutions such as were founded by our ancestors? Where are the sentiments of love and tenderness which the Christian standing on the highest steps of the social ladder ought to feel for his poor and suffering brother? Where are now the thank-offerings of the wealthy merchants? What has become of the love once felt for the native village or the native town? Where are the marks of interest for the aged men and women who are torn from their cottages and herded together in the melancholy workhouse? Alas! it is only here and there, at long intervals of time, that new almshouses are founded, or that the fortunate of the earth think of cheering the last

days of the indigent. It is more common now to see villas, houses, castles, absorb the wealth amassed in the counting-house or the shop, while the poor are abandoned to the administrators of that legal assistance whose only pretension is to sustain both soul and body at the lowest rate possible. It is indeed a sad thing to behold a multitude of aged men torn from the cottages where they were born, forced to herd together, bowed down with the mental and physical infirmities of advanced life. A park despoiled of its old trees is as sad as that in which they all die of age. What we love to see is the venerable oak with its tufted head and seared trunk, surrounded by young and vigorous shoots, casting the shade of their rich foliage on the green sward; and thus we would fain behold the fair young face of youth and the wrinkled forehead of old age, side by side; the curly locks of boys and girls mingling with the silver hairs of their grandfathers; the young lithe limbs beside the aged form bowed beneath the scythe of Time, like the wreck of a former generation. To collect the old; *to pile them up* in a vast workhouse, like useless things, which are in the way of the rising generation; to say to them in every possible tone, We feel neither respect, nor affection, nor compassion for you; but you lie right upon our paths, and we must get rid of you in the most economical way we can—this is a sad, a very sad work, which will assuredly end by bringing about the ruin of our prosperity and the destruction of the blessings necessary for the success of our enterprise!"

If in towns and cities the absence of almshouses necessitates the use of the union for the reception of the houseless and aged poor, in the country at least it would be comparatively easy to let them finish their days by their own humble fire-sides: a couple of shillings per week



added by private charity to 2s. 6d. granted by the parish, would be sufficient to maintain them in their own homes in the bosom of their families.

As to the other inhabitants of the workhouse, it must be generally acknowledged that what they most require is the gentle influence of female ministry and love. England indeed would gladly have her Sisters of Charity, though under another name, and without those vows which in the opinion of English Protestants savour too much of Papist institutions. Perhaps the difficulty is not insurmountable. During the first ages of Christianity were there not pious women, servants of the Church, who devoted their lives to the care of the poor and the sick? And as the Protestants agree in declaring that, despite its thousand sects, the Reformed Church is only a return to the dogmas of primitive Christianity, no evil results could ensue from endowing England with these institutions, the want of which she feels so keenly. Besides, did not similar communities exist in the Middle Ages in Protestant Germany?—the Moravian Brothers for instance; and in the Low Countries at a still later period. In England even, under Elizabeth in 1578, were not the Deaconesses instituted by the Nonconformists? Thus, long before the foundation of the orders of the Sisters of Charity by St. Vincent de Paul in 1653, the importance of these institutions had been recognised by every Christian community; and they existed without cloistered cells or life-long vows. So we see that the consciences of Englishmen may be at ease. Germany offers Great Britain a most valuable example in this respect. There has existed for some years at Kaiserwerth, near Dusseldorf, an institution where Miss Florence Nightingale learnt the art of nursing, and of which she has given very interesting details. This establishment

contains at the present moment 150 deaconesses—without comprising those in other parts of Germany—all devoted to the care of the sick, of the insane, of fallen women, and neglected children. A similar institution is much wanted in England, where all the elements demanded abound; for in consequence of the continuance of the emigration movement, the female population exceeds the male by 500,000; and in the greater part of the occupations left open to women, the low rate of wages condemns them to the most cruel privations, or exposes them to all the temptations of vice and seduction. The clergy indeed, as a general rule, evince considerable repugnance to the idea of an institution which, as they dread, might tend to restore a portion of the edifice destroyed by the reform of the sixteenth century. The existence of two or three poor convents founded by the Puseyites, have already excited their alarm; they fear that a wider extension of sisterhoods might lead to a return to the tenets of the Church of Rome,—and, indeed, who could calculate what might be the result if thousands of women were constantly exercising the irresistible influence of charity on the most numerous part of the community? We are assured, nevertheless, that the Bishop of Exeter has given his full approbation to the project of a Protestant sisterhood devoted to pious and charitable works. A novitiate, and vows for five years are even talked about. This would be a real reform of the reform; and we are glad to state a fact which is a positive gain to the cause of progress:—On the 29th September, 1859, the new buildings of the “House of Mercy,” opened in the parish of Ditchengen, in the county of Suffolk, for the fallen and repentant women of all England, were inaugurated by a religious ceremony. The rector, after entering fully into the object and discipline of the

establishment, informed the congregation that the care of the unfortunate inmates was confided entirely to the sisters—who desired to live and die in this asylum, though not bound by any perpetual vows.

English philanthropy, though often badly directed, is inexhaustible; and it need be, for the wants and miseries of the poor in England are as boundless as the resources of industry and commerce in that kingdom are prodigious; and, indeed, these constitute one of the principal causes of the enormous wealth of one part of the community, and of the degrading poverty of the other. It would be a useless task to attempt to count the multitudes who by a single industrial crisis are suddenly thrown from a state of comparative comfort into one of absolute destitution. To the 900,000 individuals who receive parochial relief, must be added the innumerable inhabitants of the "rookeries;" the day-labourers thrown out of employment by severe frost or snow; the mechanic deprived of bread by the stoppage of a cotton-mill, or some other branch of trade or manufacture; the man who prefers dying, with wife and children, to the separation necessary, alas! and so rigidly enforced by the workhouse regulations; the artisan who would rather endure temporary distress, however severe, than part with his tools and furniture—an indispensable, and, as it seems to me, needless, condition of admission. True, there are 27,000 benefit societies officially recognised—without reckoning many not included in the list—and the trades unions, which make provision for their members in times of sickness; but it is precisely those who are most necessitous, namely—the workmen who receive the lowest wages, and the frequenters of the public-house, who are not among the members; the first because they cannot afford even the small sum requisite to obtain admittance;

the second, because the greater part of their wages is consumed in drink.\*

There is perhaps no country which makes so many sacrifices for the aid of the indigent as England. Unhappily, this benevolence often misses its aim from the want of enlightened direction and unity of action. Societies, of all descriptions, abound in every part of the kingdom. Some provide coal during the winter months; others establish savings banks for the very smallest sums; others again have for a special aim the education of the orphan, the assistance of mothers, widows, foreigners, &c. Some—under the name of industrial schools, penitentiaries, reformatories, Magdalen asylums, &c.—devote their efforts to the regeneration of fallen women and discharged convicts. Many of these societies, it is true, fall to the ground from want of adequate support and efficient direction; but the constant renewal of these efforts, despite their frequent ill success, attests the wonderful vitality of a nation which continues to increase and prosper, notwithstanding the canker eating into its very heart. There are no less than forty refuges, industrial schools, and reformatories, in London alone. The new night-refuges—the foundation of which has just been proposed to the Metropolitan Union—are to be on the model of Playhouse Yard Refuge, founded in London thirty-eight years ago, by voluntary subscription. In 1857—the very year in which 69,000 individuals were admitted into the casual wards of the metropolitan workhouses—53,311 found food and lodging in the Playhouse Yard Refuge, at a cost of £1,139. This refuge is open all night, and to

\* At the meeting of the British Association at Edinburgh in 1851, it was officially stated that the working men of England consumed £20,000,000 worth of spirits, £25,000,000 of beer, and £17,000,000 of tobacco per annum.

every new-comer ; but the assistance given, being limited to the absolute necessities of life, consists of half a pound of bread on admittance, and half a pound next morning before departure, together with a mattress to sleep on in a warm room. If any case of positive exhaustion or inanition presents itself, then whatever food or medicine is prescribed by the doctor is instantly administered ; and according to the official reports, which I have consulted, many an unfortunate being is thus snatched from the jaws of death. Another similar refuge—but which offers only a wooden plank instead of a mattress—is that of Field Lane, likewise supported by voluntary contributions.

Charity is practised on a more liberal scale in the north-west asylum recently rebuilt in Market Street, Edgeware Road, and named after its founder—Lord Dudley Coutts Stuart ; and also in that of Leicester Square, to which admission is obtained by tickets granted by subscribers, which are available—some for a single individual, and others for a whole family. Every day at three o'clock, in this last-named refuge, there is a distribution of food, which the poor can take away with them, or consume in the kitchen of the establishment. This repast consists of bread and soup, of which each family receives four pints ; and when all those provided with tickets have been served, the rest of the soup is divided amongst the most hungry-looking of the unfortunates who crowd around the building. This asylum—the only one of the refuges of London which distributes nourishment gratuitously all the year round—served out 180,441 meals in 1856, and therefore fed 494 persons per day. Its assistance is not limited to feeding the hungry. There is also a refuge where the homeless and friendless poor, provided with a subscriber's ticket, may find shelter

till they obtain some employment, either by their own efforts or by those of the institution. Placed under the patronage of the Duke of Cambridge, this excellent charity is supported by many of the leading English nobility, among whom I must particularly mention the Earl of Shaftesbury, himself the founder of so many benevolent institutions, and ever foremost in the cause of suffering humanity. Another mode of assistance, one of those which Paris might borrow with advantage from England, has been also in operation since 1846, under the patronage of the Bishop of London, in the Rose Street Asylum. Persons fallen into distress, or in search of employment, are admitted on the recommendation of the subscribers, or even of the parochial clergy. This valuable institution has restored to an honourable existence 2,414 individuals, belonging to every class of society ; for among its *protégés*, in 1856, were professors, artists, the wife of a clergyman, the daughters of a physician, and those of a Scotch baronet.

Then there are the refuges of St. Giles's and St. George's, Bloomsbury, for houseless and destitute children, founded in 1843 by a few working men, and which up to the end of 1858 had admitted 734 children of both sexes. Here industrial work is taught; the boys learn shoemaking, tailoring, and carpentering; the girls, sewing, washing, and every branch of domestic service. Both boys and girls generally turn out well. There is the Ragged School Shoeblack Society, established in 1851, on the model of that of Paris, which affords children whose destitute condition precludes them from obtaining other employment, the means of a temporary livelihood, though, it must be confessed, not a very desirable one. This does not interfere with the boys' attendance in the ragged schools, which they continue after their return from work

every evening in the week, and on Sundays. Of the earnings, 6d. is given to each boy, whether he has gained it or not, a rather questionable proceeding by-the-by, but which is, perhaps, inevitable under the peculiar circumstances of the case. The remainder is divided into three parts—a third is paid to the boy in addition to the 6d., one third is kept by the society towards the expenses of the institution, the remaining third is placed in a fund set apart to purchase clothing for the children. It will scarcely be believed that in the East London Ragged Shoeblack Society (the first that was established) the earnings of seventy-two boys, employed during the year 1858, amounted to £934 11s. 7d. This is indeed a new branch of industry, and promises to be a profitable one.

Nor are the girls and women forgotten. The female mission established in 1858, is actively engaged in seeking out those unfortunates who are not already hopelessly lost, and in endeavouring to restore them to the paths of virtue. Little, indeed, has as yet been effected. Out of the 50,000 outcast women who, according to the facts brought to light by the "midnight meetings," exist in the metropolis alone, eighty-six only have been drawn from their life of sin by the earnest efforts of the female missionaries. But the work has begun in the right direction, though it can never effect a radical cure.

We thus see the immense amount of charity in London and elsewhere in the United Kingdom, and we may well inquire how it is that, in a country where liberality so boundless prevails, there should be such a fearful amount of misery and destitution. The habits of intemperance and improvidence, which are the curse of the lower orders in England, together with the frequent industrial and commercial crises, may in some measure

account for it. But there are two great deficiencies in the system of English charity. First, there is scarcely a single *crèche*, or public nursery, in the whole kingdom. Mothers working in factories are necessarily compelled to leave their children for ten hours consecutively. To keep them quiet they administer a dose of opium, the effects of which, acting more or less slowly on the constitution, are one of the principal causes of infant mortality among the poorer classes in Great Britain.

A comparison between the statistics of the hospitals and dispensaries of London and Paris, will show our readers the excess of the indigent population in the former capital better than any further details. According to the last reports of the Public Charity Committee at Paris for the year 1858, 91,007 patients were treated in the hospitals and infirmaries for the sick and aged poor. In the same year the asylums of various descriptions maintained 12,494 old, infirm, and insane persons. In 1857, that of the sick treated at home amounted to 32,105. We may calculate at 4,000 the poor not inscribed at the Bureau de Bienfaisance, who are attended at their own homes by the six dispensaries of the philanthropic society, which brings the number of indigent patients at Paris to 139,306.

London has 12 hospitals for the sick and for those injured by accidental causes, containing 3,380 beds. During the year 1852 these establishments received 30,286 patients, and treated 335,676 at their own homes. It has, in addition, 48 hospitals, each of which is devoted to one particular description, independently of 2 lunatic asylums, containing each 2,000 beds. The 46 other special houses can accommodate 2,506 patients at one time, and in 1852 15,011 were treated in the hospitals, and 78,952 at their own homes. There are,



besides, 34 dispensaries, the medical practitioners of which, without including those of 5 homœopathic institutions, have treated in the same year 164,621 indigent persons; and, finally, 126 charitable institutions, containing 2,390 aged men and women. The number of sick persons relieved during the said year amounted to 518,369, without counting the 67,000 inmates of the workhouses; and, in consequence, the whole amount of the poor and pauper population in London, assisted by public charity, in a single twelvemonth, amounted to no less than 585,369.

If there is any difference in the salubrity of the two cities, that difference is in favour of London, despite the pestilential emanations of the Thames, the dense fogs, the narrow alleys, and crowded streets of that metropolis; and as the population of that city is only twice and a half as numerous as that of Paris,\* the same proportion ought to exist in the number of poor, if, indeed, there were not a striking disparity in the pauperism of the two countries, or, at least, of the two capitals.

According to statistics just published, the pauperism of Paris to that of London is as one to four; but the difference is, in fact, greater; for as in Paris the number of poor inscribed on the lists of the Bureau de Bienfaisance amounted to 80,501, it results that 58,805 persons received medical assistance, without being compelled to have recourse habitually to public or private charity; while in London, on the contrary, pauper patients cannot be treated either at the hospitals or at home; because the relief of the poor, which in France is left to voluntary benevolence, is in England a tax imposed by law; and one of the very few branches of

\* This was before the addition of the new arrondissement.

the public service which can boast of either uniformity or centralisation.

On the other hand, while in France the hospitals and infirmaries, with the medical staff attached to them, are maintained by endowments, legacies, and by Government grants (at the present moment the latter amount to £400,000 per annum), and are confided to the direction of the administration, in England, with a few exceptions, they depend on voluntary contributions—a source of income which, despite the noble generosity of the British public, is necessarily precarious, and very difficult to subject to any real control. The result is, that many charitable institutions for the relief of the sick and suffering, supported at an enormous expense by the uncertain method above mentioned, too often languish, even in times of ordinary distress, and at periods of commercial crisis are compelled to close their doors against one half of the applicants.

There is yet another difficulty. No one, except in case of accident, is admitted into any of these institutions without a subscriber's ticket. How many foreigners, how many luckless Englishmen, who happen to have neither friends nor acquaintance in this enormous Babylon, may perish for want of aid!

I believe, then, that we are below the mark in stating the number of the London poor as *five* times greater than that of Paris. In the country the difference is much less considerable; but in the manufacturing districts it assumes about the same proportions. In France, too, the celibacy imposed by law on the clergy, on all those who take religious vows, and on soldiers during their six years of service, moderates the increase of the population, and diminishes that terrible pressure on the labour market, from which the artisans in certain trades suffer

so acutely in England. As we have already observed, skilled workmen are better remunerated in England than in France, and, indeed, enjoy greater advantages in many respects;\* but there is a far larger class in the former country than in the latter unable to earn sufficient to purchase the bare necessities of life. In the second place, the charitable institutions of France, though not more numerous than those of Great Britain, and, perhaps, scarcely as munificently supported, are decidedly better organised and better administered. They contrive to spare, so far, at least, as is possible, the self-respect of the recipients, and yet to save the country from the necessity of having recourse to that system of legal assistance which, be its advantages what they may in other respects, has, and always must have, a tendency to create pauperism, by habituating the labouring man to depend on other resources than his own energy and skill. Nor must the efficient aid afforded by the religious communities, both men and women, whose lives are devoted to succour the disinherited of the earth, be forgotten. Then there is the territorial division, which, though attended by many serious evils, and far less favourable to production than the system prevailing in England, presents the advantage of enabling the peasant to become possessor of a few acres of land, a head of cattle, and a dwelling of his own; not by public charity, as was proposed by Pitt, but by right of inheritance or purchase. This elevates him in the scale of humanity; for nothing stimulates industry, sobriety, and self-control so much as the feeling of proprietorship. Agriculture, too, which

\* Thus the mason, the working carpenter and joiner, the builder, who gain 6s. 6d. per day in England, can earn only 5s., or, at most, 5s. 6d. in France, though at Paris, particularly, both rent, fuel, and provisions are dearer.—*Note of Translator.*

still forms the staple occupation of the greater part of the labouring population of France, if it does not increase the wealth of a country so rapidly as manufactures, is, at least, less exposed to those commercial crises which in England so often throw thousands out of employ in a single week. Besides, the French working classes have fewer wants, and the habit of intemperance, though unfortunately increasing to a lamentable degree, is still less universal and inveterate than in England, even amongst the male sex; while in the female it is happily almost unknown.\* In consequence of these and other causes, too varied to enumerate, there is certainly less misery in France than in England; above all, there is less of that absolute and frightful destitution which in winter nights fills the streets of the metropolis with homeless wretches, not knowing where to find a morsel of bread to eat, or a roof to shelter them. There is nothing in France which bears any resemblance to the casual ward and its miserable inmates; nothing similar to those horrible dens to be found in all the great English manufacturing and commercial towns, where men, women, and children, without distinction of age or sex, are herded together in the same room, and often share the same filthy bed of straw.

Still the condition of the French labourer and operative leaves ample room for improvement, both as respects mind and body. There are, perhaps, means of reducing the number of indigent, without having recourse to scientific combinations or costly experiments; first, by combining the action of the society of St. Vincent de

\* Recent investigations have proved that in certain manufacturing towns in France—Lisle and Rouen, for instance—drunkenness prevails among women also, but not elsewhere.—*Note of Translator.*

Paul with that of friendly societies, and promoting the formation of the latter throughout the whole kingdom, under a rather different system from that adopted in similar institutions in England; secondly, by encouraging co-operative societies, many of which have already been founded, and are in successful operation both in England, France, and Germany. The results of the first project are evident even to a superficial observer. The man who can satisfy his wants by honest labour is not really poor. What, indeed, in our social condition are the usual causes of indigence in the sober, hardworking artisan? Illness, by which the labouring man is forced to contract debts which he is probably never able to pay, and which cling to him like a dead weight through the whole of his after life; and old age, which weakens the strong arm and compels the most hardworking to retire from the field. If every artisan and labourer belonged to a society which, in return for a moderate weekly payment, secured him a certain amount of aid when ill or unable to obtain employment, and a small but sufficient pension when too old to work, he would be exposed to destitution only by causes beyond human control. Undoubtedly, many of these societies do already exist, but they are far from being sufficiently numerous, and, unfortunately, often fall to the ground from want of means. Here private benevolence might step in with advantage. Persons of a higher rank might become honorary members of the society, and, by contributing to its funds, enable it to continue in active operation in periods of industrial distress or unusual sickness; when the deposits of the members alone might not suffice to keep it afloat. This likewise, by convincing the workman of the sincere interest felt in his welfare by those superior to himself in station, would soften many of the prejudices he now entertains against

hem. Then, too, by bringing individuals of the two classes into personal intercourse, on one common ground, where they meet as equal to equal, it would do much towards making each better acquainted with the other, to strengthen that bond of mutual kindliness and good feeling which ought to unite all the branches of the great human family in one brotherhood of charity and love.

The action of co-operative societies is far wider in its scope, and could they once take root and flourish, would be infinitely more powerful and efficacious. That, despite the marvellous success which more than one has achieved—especially that of Rochdale, in Lancashire—they are open to many difficulties, cannot be denied even by their warmest advocates; yet, if fairly and honestly carried out, they appear to us to offer the only real and peaceful solution of the mighty problem which every day is forcing itself more and more on the minds of all thinking men—how the balance of labour and capital may be adjusted, how the condition of the great bulk of the people in every land may be improved, without revolutionary violence. But on this important subject our limits will not permit us to enter at any length. The day will surely come, though the existing generation will not behold it, when pauperism will have disappeared; when the working classes will be able to maintain themselves in comfort and independence by their own honest exertions; when the abyss which now separates class from class will be bridged over by mutual love and charity, and the divine precepts of Christianity carried out to their full extent. It is to this great end that the efforts of all in every country, of high and low, rich and poor, should be directed. But it must not be forgotten that no mere kindly feeling, however warm; no charitable donations, however princely;

no Poor-Law system, however well combined, can achieve this aim without the union of practical good sense, calm, unbiassed judgment, and personal devotion.

Indiscriminate philanthropy does as much harm as good, for it only removes one evil to substitute another. By failing to distinguish real from simulated distress—the poor man struggling with temporary, and often unmerited poverty, from the beggar, who makes mendicancy a regular profession—by petting the sinner and pampering the convict, it fosters vice, pauperism, and crime.

The Poor Law, be it administered as wisely and judiciously as it may, has a tendency to debase the labouring population. What, then, can be done? In the main, the same rule holds good for all countries, France as well as England. Let us help the working classes to help themselves, by sympathising in their struggles and trials, affording them the means of self-improvement, stimulating their energies, raising their self-respect, while we ameliorate their moral and physical condition, by affording them better drainage, better dwellings, more ready means of education for their children, and sanitary improvements of every description.

But in England there is something more to be done. Drunkenness lies at the root of three-fourths of the pauperism and half the crime of the United Kingdom. It behoves every well-wisher of his country to make war against this fearful vice; and to encourage the temperance movement, despite the ridicule so frequently cast upon it by superficial observers. But above all, let England strain every nerve to rescue her hosts of destitute children from the abyss that yawns beneath their feet. In this respect she is working in the right direction. Reformatories and industrial schools are excellent things in their way, if kept within due bounds; but prevention

is better than cure. District schools, feeding schools, ragged schools, though attesting the amount of the evil, will, if well managed and supported, do much to prevent the necessity of the reformatory and the gaol. Habits of sobriety and frugality amongst the working classes will do still more. They will enable the greater part to dispense with parochial or private relief, except in those cases of illness, infirmity, or sudden calamity, when to receive aid is no degradation, and to afford it is a privilege. When these habits are formed—and we fear not till then, despite all her noble and generous efforts—will England be entitled to say with truth, pauperism is diminished.



## APPENDIX.

SINCE the preceding article was first published, some very important measures have been passed in England relating to the Poor Laws, more especially those which affect the removal of the poor, and the contributions of parishes to the common fund. The first was passed in 1861, the last in 1865. The evils resulting from the statute of the 14th of Charles II.,\* which enacted the arbitrary removal of the poor from one parish to another, whenever they became chargeable on that in which they happened to reside, together with the various and progressive modifications made from time to time in the law, from 1662 to 1858, in the endeavour to mitigate the evils it entailed, have already been dwelt on at some length in the preceding pages. We have seen to what hardships, litigation, and discontent this Act—which has been termed the most extensive invasion of the rights of Englishmen since the Conquest, and which undoubtedly bound the labourer to the glebe almost as completely as the feudal laws of the Middle Ages—had led in England and Wales. The Poor Law Amendment Act of 1834, under which the unions were formed, as we have seen, enacted that, notwithstanding such union, each parish should be separately chargeable with, and liable to defray, the expenses of its own poor; and that, in order to carry out these provisions, the parishes were to be assessed to a common fund, for

\* By the 43rd of Elizabeth, 1601, the labourer was relieved at the charge of the parish where he was residing.

building the workhouse and defraying what were called "establishment charges," according to their average expenditure.\* The poor, as before, were liable to be removed whenever they became chargeable. So the matter rested till the passing of the Irremovability Poor Act in 1846. By this Act, which paved the way for subsequent improvements, the removal of any poor person from the parish in which he or she had resided five years; of widows the first year after their husbands' demise; of children under sixteen without their parents; of persons chargeable by illness or accident only—was prohibited. In 1860, a select committee was appointed to examine how far the hardships, necessarily incidental to the law of removal, might be further mitigated. In consequence of the recommendations made on this occasion, an Act was passed reducing the period necessary to acquire the status of irremovability from five years to three, and extending the area of residence from a single parish to the whole union; an important change, as it afforded the working man a better chance of finding a market for his labour, and did away with the motive which so often prompted proprietors and parish authorities to refuse building cottages for the agricultural labourers at the spot where they were employed, lest their inmates should become burdensome to the parish, thus forcing them to walk long distances morning and evening.† Orphans, even if they had not resided in the parish the prescribed period, at the death of their parents

\* Union Chargeability Act (Glen).

† Unfortunately, the desired result has not yet been completely attained. Cottage accommodation is still very deficient on many farms and estates, and a fearful amount of overcrowding, fever, and immorality is the result. Still there are indications of improvement.

were to have the status of irremovability which those parents had acquired, thus preventing what so frequently occurred under the old law—the removal of young children from their native parish, and their separation from their families. The law affecting deserted wives was also modified. It was enacted that if for three years after such desertion they continued to reside in the parish, they were to be exempt from removal. They still, however, laboured, and continue to labour, under the hardship of being unable to acquire any settlement in their own right during their marriage.

In consequence of this legislation, a large proportion of the destitute poor being rendered irremovable on the union where they had resided the last three years, a great increase of expense was thrown on the common fund of these unions; as under such circumstances, the direct charge of the relief to the parish ceasing, those parishes which had few settled poor escaped their fair proportion of the common fund charges, and those which had a large number found the burden increased three-fold.\* It was, therefore, enacted that after the 1st of March, 1863, every parish should contribute to the common fund according to the annual value of the ratable property, to be computed from the approved valuation lists of each. It was likewise decided that the guardians of any union might, with the consent of the Poor-Law Board, contract with the managers of any certified industrial school for the education and maintenance of a pauper child until it attained the age of sixteen. It is much to be wished that this regulation were more frequently acted upon.

\* The half-yearly returns of the Poor-Law Board show that the cost of relief to paupers, made irremovable by the new law, is 36·2 per cent. of the whole expenditure, an increase of 1·3 per cent. over the proportion in the corresponding half of the year 1864.

In 1865 a further change was effected in the law of settlement—viz., that after March 25th, 1866, the union should become the unit of chargeability instead of the parish, as heretofore. Before this, as we have seen, each parish had to pay for its own poor, at least, to a considerable degree; now, all charges are laid on the common fund of the union.

It is hoped that this Act, by creating greater uniformity in the general administration of relief, which has hitherto been so much wanting, will put an end to that diversity of interest, which must naturally exist when the poor are relieved partly from one fund, partly from another.

The power of removal from parish to parish will at least be abolished, and some of the most crying evils of the law of settlement will disappear. It is argued that the law itself, however much its consequences are to be lamented, is inseparable from the existence of compulsory relief; and that, if the power of removal were taken away, the labouring population would roam about the country, especially in these days of cheap and easy transit. As a rule, however, no one is less inclined to vagrant habits than the English agricultural labourer. Railroads and steamboats have effected very little change in this respect, nor is it likely that the liberty of choosing a place of abode would completely alter the character of a whole class of men, or induce them to abandon their peaceful and regular mode of life. The real vagrant is not, and cannot be, affected by the law of removal; for, having no legal settlement, he may move about as much as he pleases.

Another important measure was passed in 1864, with the object of making better provision for the houseless metropolitan poor. It was evident that, with the means

at the disposal of the different unions, there ought not to be thousands of unfortunate wretches thrown upon public charity for a night's lodging. Still the difficulty of making provision for the relief of this class was necessarily considerable. Not being attached to any parish, they had a positive claim on none. The guardians were generally of opinion that the obligation of granting them relief did not rest more on one locality than on another, so that their applications were refused or acceded to, according to the will and pleasure of each particular union. In consequence, the burden of assistance was most unequally distributed, falling with undue weight on certain parishes, and scarcely felt by others, while at the same time the provision for the casual poor, whose name in winter is legion, was, as we have seen, miserably inefficient.

This was peculiarly the case in the metropolis; every now and then some heartrending tale of starving, houseless men and women thrust from the door of the casual ward, roused pity and indignation. The public did not stop to ask whether the applicants were worthless or deserving, whether it was easy or difficult to deal with them. They knew that they paid more than six million per annum for poor-rates; that by the 49th statute of Elizabeth (to which, with the characteristic love of Englishmen for precedent, they elung) every person in the country—with a due exaction of work—had a right to food and shelter. They saw that the refuges established by private benevolence were nightly crowded with unfortunates, and they demanded that a system which worked so ill should be forthwith amended.

In 1864, in consequence of the recommendation of a committee of the House of Commons, a Bill was passed

providing for the creation of a separate fund, not to exceed £5,000 (an amount that cannot be considered as exorbitant, the property on which the Metropolitan Board made their rate amounting to £13,600,000), for the relief of this peculiar class of paupers. The guardians were to prepare proper wards where such did not exist; one for men and boys, the other for women and children. A yard, a bath-room (a thorough cleansing being a necessary preliminary to admission) were to be provided, together with a shed, where the allotted task—necessarily demanded in return for food and shelter, as a precaution against deception—was to be performed.\* A refusal to work was to be punished with a month's imprisonment and hard labour. As the sums expended were to be chargeable on the common fund above named, the local guardians were deprived of all pretext for undue parsimony in the distribution of relief.

Nothing could be better than these regulations; but, somehow or other, they did not work so well as was anticipated. Some months after the passing of the afore-said Act, no fewer than 143 applicants for admission were refused in a single week in the workhouse of Bermondsey, on the plea that the casual ward was full, no other having been erected.

These revelations again called forth public indignation. It was certainly clear that, if laws were made they ought to be acted on, and it was urged that some effective

\* Each ward is to be fitted up with a sleeping platform and a gangway down the middle. The space allotted to each person is to be at least 2 ft. 5 in. wide; above, is to be a shelf the whole length of the room, divided into corresponding spaces for the deposit of clothes. The ventilation is to be effected by the opening of the roof at proper intervals, and means are to be provided for heating the walls in severe weather.

power should be obtained and applied, to make obstinate guardians perform their duty. The state of the casual wards, which continued pretty much the same as is depicted in the article on pauperism, and which was drawn in vivid colours by writers in the daily papers and reviews—especially by one benevolent and courageous gentleman, who ventured *incognito* to spend a night there\*—evidently called loudly for reform. Indeed, the want alike of decency and discipline, especially the latter, the obscene and filthy conversation, the oaths, the riot allowed in the ward, without any interference on the part of the officers, the shirking of the morning's task, a very light one,† the practical jokes (we may conceive of what nature) played on the industrious few by the lazy ruffians who refuse to put their hand to the work, all this admits of no excuse.

But every picture has two sides, and if the treatment of casual paupers by workhouse officials has furnished the materials for many a pathetic narrative, the treatment of workhouse officials by casual paupers is not less suggestive. A large proportion of the applicants are confirmed tramps and vagabonds, who roam from workhouse to workhouse, begging by the way, and eschewing all honest labour; and no small number are thieves and pickpockets of the inferior class (for crime, as we have shown, has its aristocracy and its plebeians), who, when out of luck, are well content now and then to spend a night in the casual ward, where they are sure to meet congenial spirits, and where they edify their companions by such tales of successful depredations as those

\* "A Night in the Workhouse."

† The task is not a severe one—four measures of corn (bushels they were called, but that is doubtful) have to be ground every morning by the night's batch of casuals.—Page 40.

related by the author of "A Night in the Workhouse." \* But few days pass without a large proportion of the inmates of the casual wards, men and women, being brought before the magistrates for destroying their clothing, breaking windows, assailing the matron and superintendent with the foulest language, and not unfrequently with blows.† The punishment inflicted of a month's imprisonment has little or no deterrent effect, for within the last fortnight twenty men have been sentenced for these offences by one magistrate alone, and yet it goes on increasing. The prison fare they know is tolerably good, and the work light. If they were kept on penal diet in the union, till by hard labour they had earned sufficient to replace the clothes they had torn up, they would be less inclined to destroy them.

While the unfortunate and the depraved are thus jumbled together, it is pretty nearly impossible, without injustice to society, to adopt any system of relief which can give the honest poor the assistance they deserve. To

\* "Tell us a rummy story, Kay," said somebody, and Kay did. He told stories of thieving and of a certain "silver cup" he had been "put up to," and avowed he meant to nick it before the end of the week, if he got *seven stretch* (years) for it. The cup was worth ten *quid* (pounds); he knew where to melt it within ten minutes of nicking it.—Page 21.

† Tuesday last five young men were brought up before Sir F. Moon, at Guildhall, for destroying their clothing in the West London Union Workhouse, and the magistrate remarked twelve others had been sentenced for the same offence in the course of the previous week. The same day a young woman was charged with assaulting the female searcher at St. Giles's Workhouse, two others with refusing to work, two breaking windows, two middle-aged women with destroying their clothing in Rotherhithe Workhouse; while on the two following days there was a long list of workhouse outrages at Guildhall and Marylebone, one at Westminster, four at Clerkenwell.—*Times*



leave a man to starve because he is a vagrant or a thief, would be a crime ; to give him more than the bare necessities of life would be robbing the hard-working artisan, from whom so large a portion of the poor-rates is derived. The plan proposed by Mr. Baker—well-known for his efforts in the cause of juvenile reformation—appears to us the only efficacious mode of solving the difficulty—namely, “appointing the police, to whom all the tramps and vagrants are tolerably well known, as *assistant relieving officers*, having nothing to do in the union, but merely seeing the applicants, taking their descriptions, and giving them an order from the house.” This system was adopted by Admiral MacHardy, chief constable of Essex, in 1846, and by Mr. Baker himself, in Gloucestershire, with such success that, while the honest poor considered the system a boon, the regular tramps demanding assistance were reduced from 30,000 to 1,300 per annum. With regard to country unions, Mr. Baker proposes that every casual who leaves a workhouse, if he is really travelling in search of work, should be provided with a paper, with date, name, and place whither he is going, and signed by the master ; by presenting this at any workhouse, twenty miles on the road, he will have supper, bed, and breakfast, and be allowed to proceed on his route, with a new pass, and *without labour*. To tramps and vagrants this ticket of way is not to be extended, in which case they will have to do four hours’ hard work, in return for food and lodging of a coarser description. If this system, with some modifications, were adopted in London, so as to discriminate between the honest man seeking a temporary shelter and the systematic tramp always on the verge of crime, an immense improvement

might be effected, and the vagabond class greatly diminished.\*

But there are other inmates of the workhouse who have a juster claim on public sympathy than the casual—viz, the sick, the infirm, the incurable, whose melancholy condition, in many unions, has been described in the article on pauperism. It is only within the last few months that general attention has been called to the subject. The publication of two or three cases of peculiar hardship and neglect, in the daily papers, induced a well-known medical journal† to issue a commission of inquiry into the state of the metropolitan workhouses, which had been denounced as even more defective in this particular than the rest. The overcrowded and unhealthy state of the infirmaries, the absence of all efficient nursing,‡ the low salaries of the medical officers—out of which they have to supply medicine for their patients,—the want of

\* There are thirty-seven workhouses within the metropolitan district, in each of which are wards specially dedicated to the reception of destitute vagrants and wanderers, and which will accommodate fully 1,400 persons. Thirty contain all necessary and sufficient arrangements for affording the requisite relief, and twenty-one of the wards have recently been enlarged. Seven of these are still inadequate. In the first week of December, 1863, 3,400 beds were occupied in the casual wards of the metropolitan district. During the corresponding week of 1864, 4,655 beds were then occupied.

† The *Lancet*.

‡ It appears that few workhouses have more than one paid nurse; the rest are themselves paupers, aged, decrepit, and incapable of fulfilling their duties, even when they are not drunken or brutal. The greater part can read but imperfectly—many not at all; so that the medicines, though duly labelled, are administered almost indiscriminately. The revelations of the state of some of the sick wards of St. Martin's-in-the-Fields and the Strand Workhouses are disgraceful to humanity.

space, and of light and air, and many other flagrant abuses now brought to light, excited astonishment and indignation. It is computed that out of the 32,000 inmates of the London unions two-thirds are returned as sick and infirm, and of these between 6,000 and 7,000 are suffering from acute disease, brought on, in some cases, undoubtedly by their own excesses, more especially by drunkenness, but, in the greater number, the results of inevitable misfortune and the hardships of their daily lot. Some of these have themselves been ratepayers. It is evident that, apart from other and higher considerations, it would, in the long run, be truer economy to restore the poor sufferers, many of whom are fathers of families, as speedily as possible to health (if they can be restored), so as to prevent their wives and children falling upon the parish, than to let them linger on, year after year, in hopeless misery. The recently formed society for the improvement of the London workhouses, took up the cause; meetings were convened, and it was finally decided that the President of the Poor-Law Board should be requested to bring forward a Bill for the erection of six large district infirmaries, with a thousand beds each, an efficient staff of doctors, and well-trained nurses, to be supported by a general metropolitan rate, levied for that express purpose. As to the two first points, there can be but one opinion; but the latter is open to some discussion. To improve the condition of the pauper sick, to mitigate their sufferings, so far as lies within human skill, is clearly a bounden duty; but those who urge their being placed, in all respects, on a level with the patients in the great hospitals, at the expense of the ratepayers, forget that these establishments are supported by voluntary contributions, and that to supply the inmates of the workhouse infirmaries, in a great measure, from the pockets of

the hard-working classes, with comforts and indulgences which thousands of the latter, even among the more refined and educated, could not afford in sickness, either for themselves or their families, under similar circumstances, would be a manifest injustice. It is urged that admittance to an hospital is always to be obtained ; but even were this the case, which it is *not*, such a principle once established would not only weaken the ties of family affection, but destroy that honest independence and self-respect which are the foundation of every virtue.

Due equalisation of the rates, which are now the heaviest in the poorest parishes, would be a far more equitable mode of carrying out the object in view than levying a new rate for that special purpose. It is said, however, that this plan would raise political questions of some difficulty, and encourage extravagance on the part of the local guardians. One expedient remains, that of supplementing the treatment provided by the workhouse by private charity, as is done in the *hospices* of Paris, and this plan we trust will finally be adopted.

The incurables are, if possible, in a still more pitiable condition than those suffering under acute disease. A gifted writer, who has most earnestly pleaded their cause,\* computes their number in England alone at 30,000. There is but one hospital for incurables in the whole kingdom, and that is very far from approaching, in size and importance, L'Hôpital des Incurables at Vincennes. To open such asylums to all who need them is evidently an impossibility. Even at the moderate rate of £30 per annum for each patient, the net sum would amount to above £900,000. The plan proposed by a zealous worker in the cause,† viz., that separate wards

\* Miss Cobbe ; "Workhouse Sketches."

† Miss Elliot ; "Destitute Incurables."

should be allotted to these unfortunates in every union, would solve the difficulty at comparatively little expense ; while, instead of charging the poor-rates, with the extra cost, which, as we have already observed, would be an injustice to that class whose utmost struggles can but just keep them out of the workhouse, it is proposed to defray it by private charity. We know that in England this is never wanting. These measures will greatly tend to avert the mischief, and increase the good effects of the Poor Law ; and perhaps something more might be done, as is suggested by one who has devoted great attention to the subject,\* by certain modifications in the appointment of boards of guardians. A great portion of the members, despite the recent disclosures, which betray, at least, considerable want of vigilance on their part, are probably well-intentioned men, and, with very few exceptions, perform, to the best of their power, the onerous and thankless duties imposed on them. They have to defend the interests not only of the wealthy, but of that numerous class who find it so difficult to support themselves and their families in honest independence; and to blame them for seeking to keep down the rates, is at once unjust and illogical. Still, as the majority of the boards consist of small tradesmen, who cannot be expected to have studied the principles on which the English Poor Law is based, or to have very large views on that or any other subject, it is desirable that men of a higher stamp should be added, more accustomed to cope with questions of such magnitude, to counterbalance their influence. To effect this end, Mr. Hill proposes that in the appointment of the guardians a greater distinction

\* "The Administration of the English Poor Law," by Frederick Hill, Esq., read at the National Assembly for the Promotion of Social Science, at Sheffield, Oct. 6, 1865.

should be made between those who contribute *much* and those who contribute *little* to the poor-rates ; that while one vote be given to all persons rated at less than £10, an additional rate up to £20 be allowed for every additional £10 of assessment, thus giving a greater influence to the wealthy class, who, in Mr. Hill's opinion, are likely also, in this case, at least, to be the more enlightened among the ratepayers.\* How far this plan, if adopted, would effect all the good anticipated by the writer, in diminishing misery and crime, must depend on the great question, never yet fully decided, whether the English Poor Law be, as he believes, a measure of sound policy—the Magna Charta of the indigent, or whether, as is maintained by political economists of a different school, to which the author of the preceding article belonged, compulsory relief, however administered, bears within it the germs of evil by habituating the lower classes to depend for support on public charity instead of their own honest exertions, aided, when required, by the voluntary benevolence of their fellow-citizens. Within the last few years a plan has been adopted in certain counties, by which many a poor man and woman, suffering under temporary illness or accident, may be saved from becoming a burden on the parish—that of village hospitals. These hospitals are small houses, where five or six patients may be properly nursed and tended, either completely gratis or for a very insignificant sum, and the result of the experiment has been most favourable.

With respect to the management of pauper children, no great change has taken place since 1859. Despite

\* "The Administration of the English Poor Law," by Frederick Hill, Esq., read before the National Association for the Promotion of Social Science, Sheffield, Oct., 1863.

than compensated by the diminution in crime and adult pauperism, which would probably be the result; while few will deny that parents, whose only aim in keeping their offspring is to make a market of them, and educate them in sin and shame, forfeit all right to their possession.

Be this as it may, it is certain that, as a general rule, the complete separation of the school from the workhouse is desirable; and, although the parliamentary committee consider it would be inexpedient, and in some cases impracticable, to enforce the general establishment of district schools, it allows that they should be encouraged in as much as possible. Under the District Schools Act, 8, 11, and 12 Vict.), several parishes may unite together to establish a school for their common use, or each may erect a separate one for itself. Of late years these branch schools have become very numerous, and, according to the report of the Poor-Law Board, of 1864, out of 35,548 juvenile in-door paupers, 9,435 are in separate establishments. Of these, one of the best perhaps, and certainly one of the most extensive, is at Finsbury, for the pauper children of the Central London District Unions, founded by a private individual, a Mr. Aubyn, who, partly from benevolent motives, and partly to gain a living, took sick children to farm, as it was then called, from a London workhouse, at 5s. per week, and, by his watchful care and extreme cleanliness, restored them to perfect health. It now consists of a range of buildings of vast extent, capable of containing with ease from 1,600 to 1,800 inmates, though at present there are but 1,100, with fifteen infirmary wards, to each of which a separate nurse is attached, dormitories scarcely equalled in size and excellence of ventilation in any establishment with which I am acquainted; school-rooms;

bath-rooms, admirably arranged ; and a dining-hall of royal dimensions. A farm, gardens, &c., are attached, which are cultivated, in part at least, by the boys themselves, and supply the school with vegetables, milk, butter, &c. &c. Nothing can exceed the care and judicious kindness bestowed on the training of these young creatures, and their healthy and happy appearance bears the best and most satisfactory testimony to the excellence of the system adopted. Within the last twelve years sixty female children have been put to service, and seventy boys bound apprentices, and the demand for both, especially the girls, exceeds the means of supply. Great care is taken in ascertaining the character of those who apply for the children, and whether they are in a fit condition to maintain them, and constant communication is carried on between the latter and the master, mistress, and chaplain of the establishment, long after they have left its sheltering walls. Such of the boys as evince talents of a superior order are first advanced to the rank of pupil teachers, and then sent to the Patterson Training College, and many are now in positions which, but for the guardian care of which they were the objects in their early boyhood, they could never even have dreamed of attaining. The average cost of each child is £24 per annum—rather a large sum perhaps in itself, but how trifling when compared with the amount of good the training effects, rescuing as it does thousands of helpless children from almost inevitable misery and crime.\*

\* LIST OF CHIEF OFFICERS AND SERVANTS.

					£	s.	d.
Clerk to the Board	...	...	...	...	250	0	0
Chaplain ...	...	...	...	...	350	0	0
Superintendent	...	...	...	...	200	0	0
Medical Officer	...	...	...	...	400	0	0



As to the children of out-door paupers, a large number of whom are left without any education whatever, it has been proposed by one who has devoted much attention to the subject, that an Act should be passed giving power to the guardians to refuse out-door relief unless the parents consent to send the children to a school under Government inspection, the cost to be paid, not by the ratepayers, but by the Privy Council.\*

It is proposed that the relieving officer should give the parent an order for admission into the school which has been selected, requiring each week, on the renewal of the relief, a voucher that the child has attended regularly during the past eight days. For every twenty-five attendances the manager should be entitled to 1s. 6d. from the Privy Council; this would be about 4½d. a week. Mr. Clay appears sanguine of the success of this plan, and believes that between 40,000 and 50,000 chil-

	£	s.	d.
Matron ... ..	50	0	0
Superintendent's Clerk ... ..	125	0	0
Bandmaster ... ..	85	0	0
Storekeeper ... ..	75	0	0
Senior Master—Boys' School ... ..	140	0	0
Second do. do. ... ..	60	0	0
Third do. do. ... ..	50	0	0
Master—Girls' School ... ..	70	0	0
Mistress do. ... ..	36	0	0
Mistress—Infant School... ..	46	0	0
Do. do. ... ..	40	0	0
Drill Master ... ..	60	0	0
Head Nurse ... ..	18	0	0
Fifteen Nurses ... ..	15	12	0
Training Cook for Girls ... ..	15	12	0
Training Needlewomen ... ..	22	0	0

\* With eighty training painters, carpenters, shoemakers, tailors.

\* "On the Education of Destitute and Neglected Children." By W. L. Clay.—Page 163.

dren might thus be educated, at a cost of about £10,000 per annum—a small sum, certainly, when we compare it with the amount of good which such education might be expected to effect, by penetrating into these hidden depths of destitution and ignorance, so difficult to reach.

With respect to the other modes of aiding the labouring classes, or rather helping them to aid themselves, which were treated of in the preceding article, the last eight years have seen a progressive increase in both. The establishment of post-office savings banks, of which 2,800 are daily opened for the receipt and payment of money, with an interest of £2 10s. per cent., and direct Government security for the prompt return of the sum if desired, form a valuable stimulus to economy, especially in the young. These banks receive deposits from 1s. upwards, and children above seven are permitted, like their elders, to place and withdraw their savings whenever they think proper. If a lad of eighteen pays in 2s. a week till the age of sixty, he will be entitled to the sum of £400. The Government Annuity Act, again, has placed an excellent investment at the command of the working classes. A lad of twenty, paying 1s. a week till he is fifty, will secure an annuity of £11 8s. 6d. per annum for the rest of his life.

Associations for the improvement and recreation of the working classes; free libraries, such as that of Manchester,\* which contains 35,000 volumes for reference

\* This library owes its existence to the late Sir John Potter, who induced the Manchester Corporation to levy a local rate for its support, and open it freely, with slight restrictions, to all who chose to avail themselves of its advantages. The reference library is a noble room, the walls covered with fine engravings, and every accommodation provided for the use of the readers, of whom a large proportion consist of working men. In the basement of the

alone; workmen's halls, where the use of lecture and class rooms, libraries, and reading-rooms, gymnasiums, and baths, and weekly conversaziones, are offered the operatives for the sum of 3d. per week; while capital pea-soup may be had for 1d., and a very tolerable dinner for 4d.; workmen's clubs, where artisans may meet for social intercourse, without being obliged to pay for it by drinking, and where books and papers are provided; colleges, in which many of the first professors deliver lectures and hold classes; workmen's industrial exhibitions, cheap dining-halls, and various establishments of a similar nature are increasing and multiplying on every side, and are effecting more or less good.

The first working man's club was established by the late Rev. W. F. Robertson in 1849; and in 1861 two other benevolent clergymen proposed the formation of a limited liability company for building these clubs and institutes in every part of the kingdom; though nominally a commercial, it was in reality a philanthropic society. The operative artisans were invited, by public meetings and the circulation of papers, to form themselves into social clubs, while a number of benevolent and wealthy persons came forward to guarantee the rent of

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the premises, purchase or erect suitable buildings, lend books, and otherwise help the working men to do what they cannot do for themselves ; while at the same time every effort was made to induce them to give as much, both of time and money, as it was right to afford. About 180 such institutions have been established. Some few are self-supporting ; but most are liable to great fluctuations, and are dependent in a considerable degree on the subscriptions of honorary members. These clubs are undoubtedly very useful, as affording the means of improvement to the working classes, by giving them a common meeting ground, where they can exchange ideas with persons of higher culture, and removing them from the public-house ; but they are liable to one serious objection, that of withdrawing husbands and fathers from their own fire-sides. In some such clubs the introduction of the wives has been proposed ; but *they* generally have domestic duties to keep them at home ; nor is it desirable that they should be induced to neglect these, even for the sake of obtaining an opportunity for mental improvement.

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Still, it cannot be denied that co-operative societies, in their original form, do not seem likely, as the writer of the preceding article had hoped, to reconcile the claims of labour and capital, and to unite employers and employed by the bond of mutual interest. So far as co-operative stores are concerned, the original system continues to subsist in its full force, and the value of these, as enabling the working classes to purchase the necessaries of life at a fair and just price, in a pure, unadulterated state, cannot be overrated; but no sooner do these societies outgrow their original proportions, and become trading or manufacturing establishments on a large scale, than the greater part, at least—for we are assured that some still hold fast to their original purpose—find themselves precisely in the same position as other establishments of a similar nature; or, to use the regretful words of a zealous friend of co-operation, “they become new joint-stock banks, with very small salaries,”\* composed indeed exclusively of working men, but still false to the principle on which they were based; for the original shareholders, instead of admitting the new workers required to carry on the concern into partnership, simply hire them in the usual way; in short, co-operative societies fall under the influence of the inexorable laws which govern the relation of capital and labour. This is, indeed, the weak side of co-operation. Until mankind have become

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should be allotted to these unfortunates in every union, would solve the difficulty at comparatively little expense ; while, instead of charging the poor-rates, with the extra cost, which, as we have already observed, would be an injustice to that class whose utmost struggles can but just keep them out of the workhouse, it is proposed to defray it by private charity. We know that in England this is never wanting. These measures will greatly tend to avert the mischief, and increase the good effects of the Poor Law ; and perhaps something more might be done, as is suggested by one who has devoted great attention to the subject,\* by certain modifications in the appointment of boards of guardians. A great portion of the members, despite the recent disclosures, which betray, at least, considerable want of vigilance on their part, are probably well-intentioned men, and, with very few exceptions, perform, to the best of their power, the onerous and thankless duties imposed on them. They have to defend the interests not only of the wealthy, but of that numerous class who find it so difficult to support themselves and their families in honest independence ; and to blame them for seeking to keep down the rates, is at once unjust and illogical. Still, as the majority of the boards consist of small tradesmen, who cannot be expected to have studied the principles on which the English Poor Law is based, or to have very large views on that or any other subject, it is desirable that men of a higher stamp should be added, more accustomed to cope with questions of such magnitude, to counterbalance their influence. To effect this end, Mr. Hill proposes that in the appointment of the guardians a greater distinction

\* " The Administration of the English Poor Law," by Frederick Hill, Esq., read at the National Assembly for the Promotion of Social Science, at Sheffield, Oct. 6, 1865.

should be made between those who contribute *much* and those who contribute *little* to the poor-rates ; that while one vote be given to all persons rated at less than £10, an additional rate up to £20 be allowed for every additional £10 of assessment, thus giving a greater influence to the wealthy class, who, in Mr. Hill's opinion, are likely also, in this case, at least, to be the more enlightened among the ratepayers.\* How far this plan, if adopted, would effect all the good anticipated by the writer, in diminishing misery and crime, must depend on the great question, never yet fully decided, whether the English Poor Law be, as he believes, a measure of sound policy—the Magna Charta of the indigent, or whether, as is maintained by political economists of a different school, to which the author of the preceding article belonged, compulsory relief, however administered, bears within it the germs of evil by habituating the lower classes to depend for support on public charity instead of their own honest exertions, aided, when required, by the voluntary benevolence of their fellow-citizens. Within the last few years a plan has been adopted in certain counties, by which many a poor man and woman, suffering under temporary illness or accident, may be saved from becoming a burden on the parish—that of village hospitals. These hospitals are small houses, where five or six patients may be properly nursed and tended, either completely gratis or for a very insignificant sum, and the result of the experiment has been most favourable.

With respect to the management of pauper children, no great change has taken place since 1859. Despite

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the immense improvements effected in their condition within the last twenty-five years, it is generally acknowledged that workhouse influence is in many respects unfavourable to the development of a healthy and independent tone of thought and feeling in the young. As has been observed in the article on pauperism, the utmost efforts often fail to prevent intercourse between the children and the adult paupers, and, be it ever so slight, contamination is the inevitable result. Then, too, the parents in the house have a right to see their children at least twice or thrice a week, and, as has been truly said, the poor creatures have no enemy so fatal to their future welfare as those who gave them birth. When, as is the case with at least one-third of the juvenile inmates of the workhouse, they are the offspring of that degraded class of women, to whom allusion has been made in the preceding article, the difficulty of bringing them up in habits of virtue and industry is increased tenfold.

Their wretched mothers are continually going in and out, and take their children with them ; indeed, they are not allowed to leave them, and thus inured in early childhood to scenes of vice and profligacy, these poor little beings often contract habits of depravity which cling to them throughout the whole of their after life. It is urged that this rule is absolutely necessary to prevent a fearful increase in the number of juvenile paupers, as every lazy, vicious mother would be too glad to foist her children upon the parish, to claim them, perhaps, at some future period, to aid her in begging and stealing. It may be questioned, however, whether, if the Poor-Law Board had the power of retaining such children altogether, and bringing them up in honest industry, the additional expense would not be more



than compensated by the diminution in crime and adult pauperism, which would probably be the result; while few will deny that parents, whose only aim in keeping their offspring is to make a market of them, and educate them in sin and shame, forfeit all right to their possession.

Be this as it may, it is certain that, as a general rule, the complete separation of the school from the workhouse is desirable; and, although the parliamentary committee consider it would be inexpedient, and in some cases impracticable, to enforce the general establishment of district schools, it allows that they should be encouraged as much as possible. Under the District Schools Act (7, 8, 11, and 12 Vict.), several parishes may unite together to establish a school for their common use, or each may erect a separate one for itself. Of late years these branch schools have become very numerous, and, according to the report of the Poor-Law Board, of 1864, out of 35,548 juvenile in-door paupers, 9,435 are in separate establishments. Of these, one of the best perhaps, and certainly one of the most extensive, is at Hanwell, for the pauper children of the Central London District Unions, founded by a private individual, a M. Aubyn, who, partly from benevolent motives, and partly to gain a living, took sick children to farm, as it was then called, from a London workhouse, at 5s. per week, and, by his watchful care and extreme cleanliness, restored them to perfect health. It now consists of a range of buildings of vast extent, capable of containing with ease from 1,600 to 1,800 inmates, though at present there are but 1,100, with fifteen infirmary wards, to each of which a separate nurse is attached, dormitories scarcely equalled in size and excellence of ventilation in any establishment with which I am acquainted; school-rooms;

bath-rooms, admirably arranged; and a dining-hall of royal dimensions. A farm, gardens, &c., are attached, which are cultivated, in part at least, by the boys themselves, and supply the school with vegetables, milk, butter, &c. &c. Nothing can exceed the care and judicious kindness bestowed on the training of these young creatures, and their healthy and happy appearance bears the best and most satisfactory testimony to the excellence of the system adopted. Within the last twelve years sixty female children have been put to service, and seventy boys bound apprentices, and the demand for both, especially the girls, exceeds the means of supply. Great care is taken in ascertaining the character of those who apply for the children, and whether they are in a fit condition to maintain them, and constant communication is carried on between the latter and the master, mistress, and chaplain of the establishment, long after they have left its sheltering walls. Such of the boys as evince talents of a superior order are first advanced to the rank of pupil teachers, and then sent to the Patterson Training College, and many are now in positions which, but for the guardian care of which they were the objects in their early boyhood, they could never even have dreamed of attaining. The average cost of each child is £24 per annum—rather a large sum perhaps in itself, but how trifling when compared with the amount of good the training effects, rescuing as it does thousands of helpless children from almost inevitable misery and crime.\*

\* LIST OF CHIEF OFFICERS AND SERVANTS.

					£	s.	d.
Clerk to the Board	...	...	...	...	250	0	0
Chaplain ...	...	...	...	...	350	0	0
Superintendent	...	...	...	...	200	0	0
Medical Officer	...	...	...	...	400	0	0

As to the children of out-door paupers, a large number of whom are left without any education whatever, it has been proposed by one who has devoted much attention to the subject, that an Act should be passed giving power to the guardians to refuse out-door relief unless the parents consent to send the children to a school under Government inspection, the cost to be paid, not by the ratepayers, but by the Privy Council.\*

It is proposed that the relieving officer should give the parent an order for admission into the school which has been selected, requiring each week, on the renewal of the relief, a voucher that the child has attended regularly during the past eight days. For every twenty-five attendances the manager should be entitled to 1s. 6d. from the Privy Council; this would be about 4½d. a week. Mr. Clay appears sanguine of the success of this plan, and believes that between 40,000 and 50,000 chil-

	£	s.	d.
Matron ... ..	50	0	0
Superintendent's Clerk ... ..	125	0	0
Bandmaster ... ..	85	0	0
Storekeeper ... ..	75	0	0
Senior Master—Boys' School ... ..	140	0	0
Second do. do. ... ..	60	0	0
Third do. do. ... ..	50	0	0
Master—Girls' School ... ..	70	0	0
Mistress do. ... ..	36	0	0
Mistress—Infant School... ..	46	0	0
Do. do. ... ..	40	0	0
Drill Master ... ..	60	0	0
Head Nurse ... ..	18	0	0
Fifteen Nurses ... ..	15	12	0
Training Cook for Girls ... ..	15	12	0
Training Needlewomen ... ..	22	0	0

\* With eighty training painters, carpenters, shoemakers, tailors.

\* "On the Education of Destitute and Neglected Children." By

W. L. Clay.—Page 163.

dren might thus be educated, at a cost of about £10,000 per annum—a small sum, certainly, when we compare it with the amount of good which such education might be expected to effect, by penetrating into these hidden depths of destitution and ignorance, so difficult to reach.

With respect to the other modes of aiding the labouring classes, or rather helping them to aid themselves, which were treated of in the preceding article, the last eight years have seen a progressive increase in both. The establishment of post-office savings banks, of which 2,800 are daily opened for the receipt and payment of money, with an interest of £2 10s. per cent., and direct Government security for the prompt return of the sum if desired, form a valuable stimulus to economy, especially in the young. These banks receive deposits from 1s. upwards, and children above seven are permitted, like their elders, to place and withdraw their savings whenever they think proper. If a lad of eighteen pays in 2s. a week till the age of sixty, he will be entitled to the sum of £400. The Government Annuity Act, again, has placed an excellent investment at the command of the working classes. A lad of twenty, paying 1s. a week till he is fifty, will secure an annuity of £11 8s. 6d. per annum for the rest of his life.

Associations for the improvement and recreation of the working classes; free libraries, such as that of Manchester,\* which contains 35,000 volumes for reference

\* This library owes its existence to the late Sir John Potter, who induced the Manchester Corporation to levy a local rate for its support, and open it freely, with slight restrictions, to all who chose to avail themselves of its advantages. The reference library is a noble room, the walls covered with fine engravings, and every accommodation provided for the use of the readers, of whom a large proportion consist of working men. In the basement of the

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vastly more self-sacrificing and unselfish than there seems much probability of their becoming at present, it will be difficult, perhaps impossible, to combine business and benevolence, to promote one's neighbour's interests as much as one's own, when these interests happen to clash. Still, it would not be fair to condemn co-operation; for, though in this one essential respect they fail to realise the hopes to which they give rise, they have performed no ordinary service to the labouring classes, by enabling them to throw their savings into one common stock, and thus share the profits of the capital invested.

Another system, which professes to rest on a sounder basis, and to supply the missing link between co-operation and private management, consists in what are called *partnerships of industry*, where the employed have a share in the profits along with the employers, so as to give them a direct interest in the concern. It has been objected that this plan would entail the necessity of lowering the rate of fixed wages, as no employer would undertake to pay the same amount, and a considerable annual profit into the bargain; and, in bad years, the workman would be the loser, so that, in many cases, it would produce nothing but disappointment and discontent. But the success of two experiments, one in a large colliery,\* the other in an extensive manufactory in Lancashire,† though of too recent date to allow of conclusive deductions being drawn, would certainly lead to a contrary opinion.

In Messrs. Greenings' manufactory many of the workmen are themselves shareholders, and even those who are not are allowed, like the rest, a bonus of fixed

\* The Whitwood.

† Wire Manufactory, Greenings, Manchester.



amount, above the ordinary rate of wages, for every  $2\frac{1}{2}$  per cent. profit, after a dividend of  $7\frac{1}{2}$  per cent. has been realised; now, as, in the present case, the dividend was 15 per cent., the bonus must have been considerable. The only question is, whether such splendid results can continue, and whether the plan would hold in less flourishing trades, where so large a surplus is of rare occurrence.

This system, however, has decidedly one great advantage. The operative who has actually or virtually a share in the business will, for his own sake, be inclined to test the quality of his materials with a keen eye, and work with more resolute and unflagging zeal, than the man who has no personal interest in the matter except the fear of being thrown out of work. The great difficulty hitherto attending every co-operative scheme, the want of one presiding spirit, of that watchful care, that vigilance which business habits and long experience can alone supply, is here obviated; for while the men have sufficient interest in the concern to stimulate their energies, they have no right to interfere in the management or control. It is likewise hoped that it may go far to diminish the number of strikes, which paralyse trade, destroy confidence, and rouse such bitter feelings of hostility between employers and employed. "The operatives," observed one of the speakers in the late meeting to celebrate the distribution of the bonus to Messrs. Greenings' workmen, "would know that if they struck, their profits as well as their wages would cease; they will, therefore, be doubly interested in settling every question in a conciliatory manner by arbitration; they will hesitate before leaving such considerate employers for others, where there would be no chance of their sharing the profits."

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SOCIAL REFORM IS

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fatal habits of drunkenness which prevail in no inconsiderable portion, and, unfortunately, more particularly among those in certain trades who receive the highest wages.\* Within the last fifty years the hours of labour have been reduced at least one-fourth (from twelve hours to nine), while the wages have enormously increased; those of a skilled artisan frequently amounting to £4, £5, and even £6 per week, so that his yearly income exceeds that of a highly-educated man, forced to keep up the position of a gentleman.† It must be confessed, however, that provisions (bread excepted) and house-rent have increased in almost the same ratio, and that an ordinary artisan, gaining from 30s. to 36s. a week, if—as is almost invariably the case—he have a numerous family, does not find it an easy task to rear them in comfort and respectability, and lay by something for old age. Partly from this cause, and partly because the working classes feel they have now the power to raise their demands, strikes have become not an accident, but the regular order of the day, and of late the men of one trade after another have had recourse to this method of

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This argument will apply, however, only while such employers are the *exception*; when (if ever) the system is general, it will no longer hold good. It is just as likely, too, that the operatives may strike for *increased profits* as for *increased wages*; and who is to decide what portion the masters are to retain in the concern, and what ought to be given to the men? The principle, that the latter are to share at all, once admitted, who is to decide where it is to stop? On the other hand, the advantages are so great, the basis of the system in many respects is so sound, that the friends of humanity cannot but wish all difficulties may be obviated, and the movement extend and prosper. It must be allowed that England within the last twenty years has been rapidly increasing in wealth, and it is at once just and desirable for the benefit of the whole community, as well as the particular class in question, that the people, who form so large a per centage of the population, should have their share in the national prosperity.

But, so far as wages are concerned, have they any fair cause of complaint, at least as a rule? In Lancashire, within the last fifteen years, those of the cotton-spinners have risen from 20s. to 30s., of the carders from 20s. to 34s., of the self-acting winders from 8s. 6d. to 30s.\* This rule is not without its exceptions; but in most cases it holds good in *every* trade so far as the male sex is concerned, except in those where the market is glutted with unskilled labour, or where the supply far exceeds the demand. The condition of the working classes (the agricultural labourer and the sempstress excepted) is indeed decidedly improved in every respect, and would improve still more rapidly, but for the

\* Report of the Lancashire Factories. By Mr. Baker. 1865.

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increasing their means of subsistence, or to use their own expression, "forcing up wages."

The success of strikes must, of course, depend in a great measure on trades unions. That these have on the whole a tendency to increase wages, by supporting the men while on lock-out, appears generally conceded ; but it may be questioned whether the sufferings the strikes entail on all parties, the derangement of trade which must necessarily ensue, and, above all, the moral evils which are the infallible results, do not counterbalance that advantage? Such is at least the deliberate opinion of one originally belonging to the working class, but raised by his own talents and virtues to a high position in science and literature.\* "The right of combination," he says, "may be just and proper abstractedly considered, but the strikes which would result from it would be productive of much evil and little good. It is the wilder spirits that dictate the conditions, and force them on their associates. They are tyrants to their fellows ere they come into collision with their masters ; their discomfiture in the end is almost certain when seasons of depression arrive, for fixing their terms in prosperous times, they fix them rather according to their present power of enforcement, than to that medium line of fair and equal adjustment on which a conscientious man will plant his foot and make a firm stand."

No one can blame those who live by the labour of their hands for seeking to obtain better remuneration for that labour, and indeed, if they can achieve it by fair and legitimate means, it would be a subject of rejoicing to every friend of humanity. The working classes are the great *sustainers* of the wealth of the country, and no thinking man can desire, even were it possible, which it

\* Hugh Miller. Autobiography.

is no longer, that capital should reign supreme. But that artisans and operatives should combine not only to coerce their employers, but to prevent such of their own body as think fit from accepting the existing state of wages;\* that to effect this end they should, as on two recent occasions, commit the most savage assaults on the inoffending individuals who did not join in the movement,† or actually set fire to their cottages;‡ that when a fearful calamity destroys a large portion of the habitations of the poorer classes in a little town in Devonshire, and private benevolence comes nobly forward to contribute to rebuild them, the carpenters and bricklayers should choose precisely that moment to strike, utterly regardless of the sufferings of every one save themselves, and actually insert a notice in the local papers desiring all men in their trades to keep away from the town till further notice§—this surely is conduct which society is bound to denounce no less severely than any other conspiracy for the sole benefit of one class at the expense of every other. Blame may occasionally attach to the employers, some of whom treat their men with a coldness and indifference which wounds and irritates them, and who, even when desirous to act fairly and liberally towards them, often find it difficult to meet their demands in a kind and forbearing spirit. But, on the other hand, the suspicion and mistrust evinced on the side of the men, and the unfair advantage they invariably take of the

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dren might thus be educated, at a cost of about £10,000 per annum—a small sum, certainly, when we compare it with the amount of good which such education might be expected to effect, by penetrating into these hidden depths of destitution and ignorance, so difficult to reach.

With respect to the other modes of aiding the labouring classes, or rather helping them to aid themselves, which were treated of in the preceding article, the last eight years have seen a progressive increase in both. The establishment of post-office savings banks, of which 2,800 are daily opened for the receipt and payment of money, with an interest of £2 10s. per cent., and direct Government security for the prompt return of the sum if desired, form a valuable stimulus to economy, especially in the young. These banks receive deposits from 1s. upwards, and children above seven are permitted, like their elders, to place and withdraw their savings whenever they think proper. If a lad of eighteen pays in 2s. a week till the age of sixty, he will be entitled to the sum of £400. The Government Annuity Act, again, has placed an excellent investment at the command of the working classes. A lad of twenty, paying 1s. a week till he is fifty, will secure an annuity of £11 8s. 6d. per annum for the rest of his life.

Associations for the improvement and recreation of the working classes; free libraries, such as that of Manchester,\* which contains 35,000 volumes for reference

\* This library owes its existence to the late Sir John Potter, who induced the Manchester Corporation to levy a local rate for its support, and open it freely, with slight restrictions, to all who chose to avail themselves of its advantages. The reference library is a noble room, the walls covered with fine engravings, and every accommodation provided for the use of the readers, of whom a large proportion consist of working men. In the basement of the



alone; workmen's halls, where the use of lecture and class rooms, libraries, and reading-rooms, gymnasiums, and baths, and weekly conversaziones, are offered the operatives for the sum of 3d. per week; while capital pea-soup may be had for 1d., and a very tolerable dinner for 4d.; workmen's clubs, where artisans may meet for social intercourse, without being obliged to pay for it by drinking, and where books and papers are provided; colleges, in which many of the first professors deliver lectures and hold classes; workmen's industrial exhibitions, cheap dining-halls, and various establishments of a similar nature are increasing and multiplying on every side, and are effecting more or less good.

The first working man's club was established by the late Rev. W. F. Robertson in 1849; and in 1861 two other benevolent clergymen proposed the formation of a limited liability company for building these clubs and institutes in every part of the kingdom; though nominally a commercial, it was in reality a philanthropic society. The operative artisans were invited, by public meetings and the circulation of papers, to form themselves into social clubs, while a number of benevolent and wealthy persons came forward to guarantee the rent of

building are lavatories for the use of the artisans, clean hands being considered an essential for the loan of books. There are branch libraries at Hulme and other places in the neighbourhood, containing from 7,000 to 8,000 volumes. The workmen's halls are generally large and well-proportioned buildings. That of Bristol, opened a few months ago, in one of the most degraded parts of the city, by a few zealous and benevolent individuals, under the guidance of that most devoted friend of the working classes, Miss Carpenter, has been decidedly instrumental in improving the tone of the whole neighbourhood. The institution is not yet self-supporting, nor perhaps ever will be so; but, low as are the charges for food, the receipts for the sale cover the cost of repairing it.

the premises, purchase or erect suitable buildings, lend books, and otherwise help the working men to do what they cannot do for themselves; while at the same time every effort was made to induce them to give as much, both of time and money, as it was right to afford. About 180 such institutions have been established. Some few are self-supporting; but most are liable to great fluctuations, and are dependent in a considerable degree on the subscriptions of honorary members. These clubs are undoubtedly very useful, as affording the means of improvement to the working classes, by giving them a common meeting ground, where they can exchange ideas with persons of higher culture, and removing them from the public-house; but they are liable to one serious objection, that of withdrawing husbands and fathers from their own fire-sides. In some such clubs the introduction of the wives has been proposed; but *they* generally have domestic duties to keep them at home; nor is it desirable that they should be induced to neglect these, even for the sake of obtaining an opportunity for mental improvement.

The co-operative societies, to which attention was called in the article on pauperism, have made rapid strides since 1859. The Equitable Pioneers of Rochdale, who in 1844 began with a stock the whole value of which was not above £28, and which consisted of thirty members only, now numbers 5,000, takes £28,000 across the counter, and makes above £10,000 profit per annum. At Halifax, we are told, when the co-operative society gives a tea party, it takes the proportions of a town meeting. Co-operation, indeed, is evidently one of the social forces of the age. In France and Germany, as well as in England, it is daily assuming greater importance.

Still, it cannot be denied that co-operative societies, in their original form, do not seem likely, as the writer of the preceding article had hoped, to reconcile the claims of labour and capital, and to unite employers and employed by the bond of mutual interest. So far as co-operative stores are concerned, the original system continues to subsist in its full force, and the value of these, as enabling the working classes to purchase the necessities of life at a fair and just price, in a pure, unadulterated state, cannot be overrated; but no sooner do these societies outgrow their original proportions, and become trading or manufacturing establishments on a large scale, than the greater part, at least—for we are assured that some still hold fast to their original purpose—find themselves precisely in the same position as other establishments of a similar nature; or, to use the regretful words of a zealous friend of co-operation, “they become new joint-stock banks, with very small salaries,”\* composed indeed exclusively of working men, but still false to the principle on which they were based; for the original shareholders, instead of admitting the new workers required to carry on the concern into partnership, simply hire them in the usual way; in short, co-operative societies fall under the influence of the inexorable laws which govern the relation of capital and labour. This is, indeed, the weak side of co-operation. Until mankind have become

\* If the successful operators of Rochdale and Bacup societies, and many other places, had adhered to their first principles, no writers worth much consideration would have been able to say this (alluding to some disparaging observations in the *Fortnightly Review*) with respect to their movements. Many of these societies had become mere joint-stock banks, with very small shares, though it was not the case with anything like the whole of them.—*Mr. Hughes' Speech, Manchester, May, 1866.*

vastly more self-sacrificing and unselfish than there seems much probability of their becoming at present, it will be difficult, perhaps impossible, to combine business and benevolence, to promote one's neighbour's interests as much as one's own, when these interests happen to clash. Still, it would not be fair to condemn co-operation; for, though in this one essential respect they fail to realise the hopes to which they give rise, they have performed no ordinary service to the labouring classes, by enabling them to throw their savings into one common stock, and thus share the profits of the capital invested.

Another system, which professes to rest on a sounder basis, and to supply the missing link between co-operation and private management, consists in what are called *partnerships of industry*, where the employed have a share in the profits along with the employers, so as to give them a direct interest in the concern. It has been objected that this plan would entail the necessity of lowering the rate of fixed wages, as no employer would undertake to pay the same amount, and a considerable annual profit into the bargain; and, in bad years, the workman would be the loser, so that, in many cases, it would produce nothing but disappointment and discontent. But the success of two experiments, one in a large colliery,\* the other in an extensive manufactory in Lancashire,† though of too recent date to allow of conclusive deductions being drawn, would certainly lead to a contrary opinion.

In Messrs. Greenings' manufactory many of the workmen are themselves shareholders, and even those who are not are allowed, like the rest, a bonus of fixed

\* The Whitwood.

† Wire Manufactory, Greenings, Manchester.

amount, above the ordinary rate of wages, for every  $2\frac{1}{2}$  per cent. profit, after a dividend of  $7\frac{1}{2}$  per cent. has been realised; now, as, in the present case, the dividend was 15 per cent., the bonus must have been considerable. The only question is, whether such splendid results can continue, and whether the plan would hold in less flourishing trades, where so large a surplus is of rare occurrence.

This system, however, has decidedly one great advantage. The operative who has actually or virtually a share in the business will, for his own sake, be inclined to test the quality of his materials with a keen eye, and work with more resolute and unflagging zeal, than the man who has no personal interest in the matter except the fear of being thrown out of work. The great difficulty hitherto attending every co-operative scheme, the want of one presiding spirit, of that watchful care, that vigilance which business habits and long experience can alone supply, is here obviated; for while the men have sufficient interest in the concern to stimulate their energies, they have no right to interfere in the management or control. It is likewise hoped that it may go far to diminish the number of strikes, which paralyse trade, destroy confidence, and rouse such bitter feelings of hostility between employers and employed. "The operatives," observed one of the speakers in the late meeting to celebrate the distribution of the bonus to Messrs. Greenings' workmen, "would know that if they struck, their profits as well as their wages would cease; they will, therefore, be doubly interested in settling every question in a conciliatory manner by arbitration; they will hesitate before leaving such considerate employers for others, where there would be no chance of their sharing the profits."

This argument will apply, however, only while such employers are the *exception*; when (if ever) the system is general, it will no longer hold good. It is just as likely, too, that the operatives may strike for *increased profits* as for *increased wages*; and who is to decide what portion the masters are to retain in the concern, and what ought to be given to the men? The principle, that the latter are to share at all, once admitted, who is to decide where it is to stop? On the other hand, the advantages are so great, the basis of the system in many respects is so sound, that the friends of humanity cannot but wish all difficulties may be obviated, and the movement extend and prosper. It must be allowed that England within the last twenty years has been rapidly increasing in wealth, and it is at once just and desirable for the benefit of the whole community, as well as the particular class in question, that the people, who form so large a per centage of the population, should have their share in the national prosperity.

But, so far as wages are concerned, have they any fair cause of complaint, at least as a rule? In Lancashire, within the last fifteen years, those of the cotton-spinners have risen from 20s. to 30s., of the carders from 20s. to 34s., of the self-acting winders from 8s. 6d. to 30s.\* This rule is not without its exceptions; but in most cases it holds good in *every* trade so far as the male sex is concerned, except in those where the market is glutted with unskilled labour, or where the supply far exceeds the demand. The condition of the working classes (the agricultural labourer and the sempstress excepted) is indeed decidedly improved in every respect, and would improve still more rapidly, but for the

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increasing their means of subsistence, or to use their own expression, "forcing up wages."

The success of strikes must, of course, depend in a great measure on trades unions. That these have on the whole a tendency to increase wages, by supporting the men while on lock-out, appears generally conceded ; but it may be questioned whether the sufferings the strikes entail on all parties, the derangement of trade which must necessarily ensue, and, above all, the moral evils which are the infallible results, do not counterbalance that advantage? Such is at least the deliberate opinion of one originally belonging to the working class, but raised by his own talents and virtues to a high position in science and literature.\* "The right of combination," he says, "may be just and proper abstractedly considered, but the strikes which would result from it would be productive of much evil and little good. It is the wilder spirits that dictate the conditions, and force them on their associates. They are tyrants to their fellows ere they come into collision with their masters ; their discomfiture in the end is almost certain when seasons of depression arrive, for fixing their terms in prosperous times, they fix them rather according to their present power of enforcement, than to that medium line of fair and equal adjustment on which a conscientious man will plant his foot and make a firm stand."

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engagements of their employers, repulse the best meaning among the latter, and prevent the growth of better feelings between them.\*

In the end things will probably right themselves; for neither strikes nor combinations can resist the operation of the economic laws. A rise in wages implies an increase in the price of the article manufactured; and that generally entails a diminution in demand on the part of the consumer. If the matter were thoroughly understood, both by men and masters, they would find, as a true friend to the working classes has observed, that their interests were identical; for wages, if too high to afford the employers the average profits of capital, must, sooner or later, drive the trade from that particular district: and, on the other hand, the master has the strongest motive not to depress them beyond the limits assigned by circumstances over which he has no control, lest the working population should either emigrate to other districts, or turn to employments which are better remunerated. But it must be remembered, that when strikes are of frequent occurrence in any branch of trade, they lead to such derangement as to prevent capital being embarked in it, as has been exemplified in the case of Ireland: and at all events, it becomes a frightful tax on the industry of the country, by increasing the cost of almost every article of consumption, so that in the end all classes are the sufferers. Besides, thanks to free trade, the question is becoming not only a national, but an international one. France and Belgium, as is well known, are carrying on a powerful competition with Great Britain, and some branches of trade have already

\* The tailors at Limerick in full work, earning from £1 8s. to £1 10s. per week, have just struck in a body, because their masters consent to employ women! May, 1866.

left that country for these rival shores, owing in a great measure to the constant recurrence of strikes.\* Of course the masters, in self-defence, are obliged to combine in their turn to resist the pressure, and to have recourse to lock-outs, which are violently resented† by the men, who evidently think they are entitled to the monopoly of combination, and that they have a perfect right to coerce their employers, while their employers have no right whatever to retaliate, though it is evident that this alone can save them from being totally overpowered. True, a lock-out at first seems a harsh measure—as it closes the doors, not only on those who will not work, but on those

\* The trade of small arms for instance, and that of leather-dressing. Within the last few days the largest locomotive engine works in the country, those of Messrs. Beyer and Peacock, at the Gorton Foundry, have had to be closed, in consequence of those men belonging to the trades union, the Amalgamated Society of Engineers, Machinists, Wheelwrights, and Smiths, not only striking without giving their employers warning, simply because they objected to an additional foreman, who had a twenty years' good character, but compelling all the other men to quit likewise, and using such means to intimidate and annoy the new workmen Messrs. Beyer and Peacock were compelled to engage, that a large police force had to be summoned for their protection. The worst part of the matter is, that when the men had agreed to return to work, and consented that the new hands should not be turned off (which they themselves acknowledged would not be fair), the union interfered, and forbade their resuming employment unless every one of the "news," as they called them, were dismissed.

† A large meeting of employers has just been convened at Manchester, for the purpose of resisting the increasing encroachments of the trades unions. They declare they are so hampered that they cannot carry on trade either with pleasure or profit. At the same moment the master engineers and ship-builders on the Clyde are about to close their workshops, as a counter-stroke to the strike of the men, and thus thousands are thrown out of employ, while, on the other hand, the ship-building trade has received a blow from which it will with difficulty recover.

who will ; but it must be remembered that the latter, by their contributions to the funds of the trades unions, are maintaining the men on strike, and, as has been proved on almost every occasion, are only waiting for their opportunity to do the same.

Of late years, partial strikes are always impending, or in progress, and employers naturally feel that to yield, if they can avoid it, is only to expose themselves to future and ever-increasing demands. The masters suffer more than the men, for they are exposed to absolute ruin ; while the men receive from the funds of the unions (which have thousands at their command) sufficient at least to keep them from want. Still, 10s. or 12s. a week is a miserable pittance on which to support a wife and family ; and thus the artisans often contract debts which weigh on them heavily for the rest of their lives. Many of them, too, it must be remembered, are *absolutely opposed* to these violent measures,\* and submit only because they *dare* not resist ; for recent events have fully proved that these operative combinations wield a power as tyrannical as was ever exercised by any despot of ancient or modern times, and that one of their worst features is their prevailing tendency to establish a dead level between all their members, and to deprive the skilful and enlightened workman of the superiority to which he is fairly entitled. It is, indeed, the unprecedented growth, power, and activity of trades unions, the contempt of every sound

\* Thus, there are 79,000 bricklayers, 85,000 masons, 18,000 plasterers, 177,000 carpenters and joiners, 310,000 labourers in London alone. Of these 270,000 have joined the organisation of the unions, and exercise over the remaining 390,000 a power maintained only by terror and intimidation. See "Laws and Rules of the Metropolitan Bricklayers' Society."

principle of social and political economy they openly proclaim,\* above all, the complete despotic sway they exercise over the whole body of working men, to whatever trade they happen to belong,† the acts of violence and cruelty to which they too often impel them, that, at

\* In the late debate in the House of Commons on the representation of the people, Mr. Hughes, the Radical member for Lambeth, who regards himself, and is generally regarded, as fully acquainted, from personal and immediate knowledge, with the working classes, declared that "they utterly discard the laws of political economy, and the deductions of philosophy; that they do not think labour ought to be measured by a mere market value; that they reject all appeals to supply and demand; that what they require is, higher work and higher pay; and, believing they can get it from the trades union, pin their faith to that, and *that alone*; that they repudiate the doctrine of individual progress and advantage, and regard the workman who does *too much work*, or does it too well, as damaging the chances of other workmen, whose diligence, capacity, or sobriety are below his." It may well be said, "Heaven save me from my friends!"

† As a proof at once of the comprehensive organisation of the trades unions, and the despotic use they make of it, amid innumerable instances that might be cited, we shall mention one only, lately published by the *Times*: An eminent engineer had invented a machine for cheapening and improving bricks. A company was formed for bringing the new manufacture into the market, a contract taken by a responsible building firm, when a trades union interfered, and forbade them to proceed. The contract was offered to others in vain. The company, finding they could get no bricks, resolved to have their building of wood; but no timber merchant dared supply them. At last they procured it from a distant part of the country, and set up their brick sheds. A chimney, however, was indispensable, but no one would make it. They had recourse to the substitute of an iron funnel; but this they could not set up without an implement used for the purpose, and this no one dared to lend. At length a builder did accommodate them; not from his yard, but from another at a distance. It nearly cost him his business; for he was summoned before the delegates, and escaped with difficulty with a severe reprimand.

the present moment, when the lowering of the franchise is in question, lends such importance to the aspect of affairs, and serves as one of the strongest and most often-repeated arguments against placing political power in the hands of a class which, great as are their undoubted merits in many respects, are under the control of an organisation of terror, the leaders of which might at any moment use it for their own special ends.\*

The trades unions, as has been truly observed, are dangerous, because they are under a standing obligation to agitate and coerce, and nothing is a more striking proof of the inconsistency of human nature than the docility with which the very men who resent the slightest attempt at advice or warning on the part of those who can have no object in offering it, save a sincere interest in their welfare, submit to the unmitigated despotism of agitators, who too often make them only stepping-stones to their own ambitious designs.

The institution of courts of arbitration, such as have existed for more than half a century in France, under the title of *Conseils de Prud'hommes*,† and the plan of which is embodied in the Equitable Council Bill of Lord St. Leonards, might adjust many an unhappy dispute, could it but once be introduced into England.

The question, whichever way we view it, is surrounded by difficulties. Time may possibly bring to light some better and more equitable mode of adjusting the claims of labour than those hitherto in use, or co-

\* Mr. Ackland's Speech, June 8, 1866.

† The first *Conseil de Prud'hommes* was established in Lyons in 1806, by Napoleon I. But the origin dates from the Middle Ages. As far back as 1452, one of the councils was established by royal authority, to adjust a dispute between fishmongers and their employers.

operation, in one of its many forms, may solve the problem and heal the bitter feud between employers and employed. One thing is certain ; every day the material advantages and the social dignity of the working classes (the operatives and artisans at least) are increasing in England ; indeed, the term *working man or woman* is now regarded as a title of honour. At the same time, despite the vast amount of indigence and degradation abounding in that country, signs of better days are looming in the distance. True, it is computed that twenty-two per cent. of the population of England and Wales are receiving in-door or out-door relief, twice as many (relatively to the population) as are inscribed on the Bureau de l'Assistance Publique, the only thing at all answering to a Poor-Law rate, in all the departments of France ; but as we have already observed, a very considerable portion of these consist of the aged, the infirm, the sick, the incurable ; and the last return of the Poor-Law Board shows some slight decrease in pauperism itself. The measures we have mentioned as about to be adopted, will, it is hoped, lower the amount of tramps and vagrants. The scheme now under consideration for improving the dwellings of the labouring poor, will undoubtedly tend to raise their moral and social condition, and thus diminish the two dark spots on the escutcheon of Great Britain—pauperism and crime.\*

\* "State of Pauperism," May, 1866. The persons in receipt of relief from the poor-rates in England and Wales, at the end of the month of March, were 5.5 per cent. fewer than at the corresponding period of 1865, and 7.6 per cent. fewer than at the corresponding period of 1864. The absolute number is given at 907,201 at the end of March, 1866, but above 3 per cent. may be added for vagrants and lunatic paupers not in the workhouse, and for parishes not under the Poor-Law Board, and making no return. The main decrease was in the manufacturing districts returning gradually to their

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But, so far as wages are concerned, have they any fair cause of complaint, at least as a rule? In Lancashire, within the last fifteen years, those of the cotton-spinners have risen from 20s. to 30s., of the carders from 20s. to 34s., of the self-acting winders from 8s. 6d. to 30s.\* This rule is not without its exceptions; but in most cases it holds good in *every* trade so far as the male sex is concerned, except in those where the market is glutted with unskilled labour, or where the supply far exceeds the demand. The condition of the working classes (the agricultural labourer and the sempstress excepted) is indeed decidedly improved in every respect, and would improve still more rapidly, but for the

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† The cutters are paid £4 per week, with the promise of £50 present at the end of the season, if they behave well; and yet these men seldom lay by a penny, and their families are often reduced to the depths of misery.

increasing their means of subsistence, or to use their own expression, "forcing up wages."

The success of strikes must, of course, depend in a great measure on trades unions. That these have on the whole a tendency to increase wages, by supporting the men while on lock-out, appears generally conceded; but it may be questioned whether the sufferings the strikes entail on all parties, the derangement of trade which must necessarily ensue, and, above all, the moral evils which are the infallible results, do not counterbalance that advantage? Such is at least the deliberate opinion of one originally belonging to the working class, but raised by his own talents and virtues to a high position in science and literature.\* "The right of combination," he says, "may be just and proper abstractedly considered, but the strikes which would result from it would be productive of much evil and little good. It is the wilder spirits that dictate the conditions, and force them on their associates. They are tyrants to their fellows ere they come into collision with their masters; their discomfiture in the end is almost certain when seasons of depression arrive, for fixing their terms in prosperous times, they fix them rather according to their present power of enforcement, than to that medium line of fair and equal adjustment on which a conscientious man will plant his foot and make a firm stand."

No one can blame those who live by the labour of their hands for seeking to obtain better remuneration for that labour, and indeed, if they can achieve it by fair and legitimate means, it would be a subject of rejoicing to every friend of humanity. The working classes are the great *sustainers* of the wealth of the country, and no thinking man can desire, even were it possible, which it

\* Hugh Miller. Autobiography.

is no longer, that capital should reign supreme. But that artisans and operatives should combine not only to coerce their employers, but to prevent such of their own body as think fit from accepting the existing state of wages;\* that to effect this end they should, as on two recent occasions, commit the most savage assaults on the inoffending individuals who did not join in the movement,† or actually set fire to their cottages;‡ that when a fearful calamity destroys a large portion of the habitations of the poorer classes in a little town in Devonshire, and private benevolence comes nobly forward to contribute to rebuild them, the carpenters and bricklayers should choose precisely that moment to strike, utterly regardless of the sufferings of every one save themselves, and actually insert a notice in the local papers desiring all men in their trades to keep away from the town till further notice§—this surely is conduct which society is bound to denounce no less severely than any other conspiracy for the sole benefit of one class at the expense of every other. Blame may occasionally attach to the employers, some of whom treat their men with a coldness and indifference which wounds and irritates them, and who, even when desirous to act fairly and liberally towards them, often find it difficult to meet their demands in a kind and forbearing spirit. But, on the other hand, the suspicion and mistrust evinced on the side of the men, and the unfair advantage they invariably take of the

\* In the recent strike of the tailors at Islington, the meeting declared that the men must take turns to watch the shop and prevent any of their body from accepting employment.

† The recent strike at Leeds, at Messrs. Crossdale, dyers, May, 1866.

‡ The recent strike in the South Staffordshire collieries.

§ Ottery St. Mary, in Devonshire.

engagements of their employers, repulse the best meaning among the latter, and prevent the growth of better feelings between them.\*

In the end things will probably right themselves ; for neither strikes nor combinations can resist the operation of the economic laws. A rise in wages implies an increase in the price of the article manufactured ; and that generally entails a diminution in demand on the part of the consumer. If the matter were thoroughly understood, both by men and masters, they would find, as a true friend to the working classes has observed, that their interests were identical ; for wages, if too high to afford the employers the average profits of capital, must, sooner or later, drive the trade from that particular district ; and, on the other hand, the master has the strongest motive not to depress them beyond the limits assigned by circumstances over which he has no control, lest the working population should either emigrate to other districts, or turn to employments which are better remunerated. But it must be remembered, that when strikes are of frequent occurrence in any branch of trade, they lead to such derangement as to prevent capital being embarked in it, as has been exemplified in the case of Ireland ; and at all events, it becomes a frightful tax on the industry of the country, by increasing the cost of almost every article of consumption, so that in the end all classes are the sufferers. Besides, thanks to free trade, the question is becoming not only a national, but an international one. France and Belgium, as is well known, are carrying on a powerful competition with Great Britain, and some branches of trade have already

\* The tailors at Limerick in full work, earning from £1 8s. to £1 10s. per week, have just struck in a body, because their masters consent to employ women ! May, 1866.

left that country for these rival shores, owing in a great measure to the constant recurrence of strikes.\* Of course the masters, in self-defence, are obliged to combine in their turn to resist the pressure, and to have recourse to lock-outs, which are violently resented† by the men, who evidently think they are entitled to the monopoly of combination, and that they have a perfect right to coerce their employers, while their employers have no right whatever to retaliate, though it is evident that this alone can save them from being totally overpowered. True, a lock-out at first seems a harsh measure—as it closes the doors, not only on those who will not work, but on those

\* The trade of small arms for instance, and that of leather-dressing. Within the last few days the largest locomotive engine works in the country, those of Messrs. Beyer and Peacock, at the Gorton Foundry, have had to be closed, in consequence of those men belonging to the trades union, the Amalgamated Society of Engineers, Machinists, Wheelwrights, and Smiths, not only striking without giving their employers warning, simply because they objected to an additional foreman, who had a twenty years' good character, but compelling all the other men to quit likewise, and using such means to intimidate and annoy the new workmen Messrs. Beyer and Peacock were compelled to engage, that a large police force had to be summoned for their protection. The worst part of the matter is, that when the men had agreed to return to work, and consented that the new hands should not be turned off (which they themselves acknowledged would not be fair), the union interfered, and forbade their resuming employment unless every one of the "news," as they called them, were dismissed.

† A large meeting of employers has just been convened at Manchester, for the purpose of resisting the increasing encroachments of the trades unions. They declare they are so hampered that they cannot carry on trade either with pleasure or profit. At the same moment the master engineers and ship-builders on the Clyde are about to close their workshops, as a counter-stroke to the strike of the men, and thus thousands are thrown out of employ, while, on the other hand, the ship-building trade has received a blow from which it will with difficulty recover.

who will ; but it must be remembered that the latter, by their contributions to the funds of the trades unions, are maintaining the men on strike, and, as has been proved on almost every occasion, are only waiting for their opportunity to do the same.

Of late years, partial strikes are always impending, or in progress, and employers naturally feel that to yield, if they can avoid it, is only to expose themselves to future and ever-increasing demands. The masters suffer more than the men, for they are exposed to absolute ruin ; while the men receive from the funds of the unions (which have thousands at their command) sufficient at least to keep them from want. Still, 10s. or 12s. a week is a miserable pittance on which to support a wife and family ; and thus the artisans often contract debts which weigh on them heavily for the rest of their lives. Many of them, too, it must be remembered, are *absolutely opposed* to these violent measures,\* and submit only because they *dare* not resist ; for recent events have fully proved that these operative combinations wield a power as tyrannical as was ever exercised by any despot of ancient or modern times, and that one of their worst features is their prevailing tendency to establish a dead level between all their members, and to deprive the skilful and enlightened workman of the superiority to which he is fairly entitled. It is, indeed, the unprecedented growth, power, and activity of trades unions, the contempt of every sound

\* Thus, there are 79,000 bricklayers, 85,000 masons, 18,000 plasterers, 177,000 carpenters and joiners, 310,000 labourers in London alone. Of these 270,000 have joined the organisation of the unions, and exercise over the remaining 390,000 a power maintained only by terror and intimidation. See "Laws and Rules of the Metropolitan Bricklayers' Society."

principle of social and political economy they openly proclaim,\* above all, the complete despotic sway they exercise over the whole body of working men, to whatever trade they happen to belong,† the acts of violence and cruelty to which they too often impel them, that, at

\* In the late debate in the House of Commons on the representation of the people, Mr. Hughes, the Radical member for Lambeth, who regards himself, and is generally regarded, as fully acquainted, from personal and immediate knowledge, with the working classes, declared that "they utterly discard the laws of political economy, and the deductions of philosophy; that they do not think labour ought to be measured by a mere market value; that they reject all appeals to supply and demand; that what they require is, higher work and higher pay; and, believing they can get it from the trades union, pin their faith to that, and *that alone*; that they repudiate the doctrine of individual progress and advantage, and regard the workman who does *too much work*, or does it too well, as damaging the chances of other workmen, whose diligence, capacity, or sobriety are below his." It may well be said, "Heaven save me from my friends!"

† As a proof at once of the comprehensive organisation of the trades unions, and the despotic use they make of it, amid innumerable instances that might be cited, we shall mention one only, lately published by the *Times*: An eminent engineer had invented a machine for cheapening and improving bricks. A company was formed for bringing the new manufacture into the market, a contract taken by a responsible building firm, when a trades union interfered, and forbade them to proceed. The contract was offered to others in vain. The company, finding they could get no bricks, resolved to have their building of wood; but no timber merchant dared supply them. At last they procured it from a distant part of the country, and set up their brick sheds. A chimney, however, was indispensable, but no one would make it. They had recourse to the substitute of an iron funnel; but this they could not set up without an implement used for the purpose, and this no one dared to lend. At length a builder did accommodate them; not from his yard, but from another at a distance. It nearly cost him his business; for he was summoned before the delegates, and escaped with difficulty with a severe reprimand.

the present moment, when the lowering of the franchise is in question, lends such importance to the aspect of affairs, and serves as one of the strongest and most often-repeated arguments against placing political power in the hands of a class which, great as are their undoubted merits in many respects, are under the control of an organisation of terror, the leaders of which might at any moment use it for their own special ends.\*

The trades unions, as has been truly observed, are dangerous, because they are under a standing obligation to agitate and coerce, and nothing is a more striking proof of the inconsistency of human nature than the docility with which the very men who resent the slightest attempt at advice or warning on the part of those who can have no object in offering it, save a sincere interest in their welfare, submit to the unmitigated despotism of agitators, who too often make them only stepping-stones to their own ambitious designs.

The institution of courts of arbitration, such as have existed for more than half a century in France, under the title of *Conseils de Prud'hommes*,† and the plan of which is embodied in the Equitable Council Bill of Lord St. Leonards, might adjust many an unhappy dispute, could it but once be introduced into England.

The question, whichever way we view it, is surrounded by difficulties. Time may possibly bring to light some better and more equitable mode of adjusting the claims of labour than those hitherto in use, or co-

\* Mr. Ackland's Speech, June 8, 1866.

† The first *Conseil de Prud'hommes* was established in Lyons in 1806, by Napoleon I. But the origin dates from the Middle Ages. As far back as 1452, one of the councils was established by royal authority, to adjust a dispute between fishmongers and their employers.



operation, in one of its many forms, may solve the problem and heal the bitter feud between employers and employed. One thing is certain; every day the material advantages and the social dignity of the working classes (the operatives and artisans at least) are increasing in England; indeed, the term *working man or woman* is now regarded as a title of honour. At the same time, despite the vast amount of indigence and degradation abounding in that country, signs of better days are looming in the distance. True, it is computed that twenty-two per cent. of the population of England and Wales are receiving in-door or out-door relief, twice as many (relatively to the population) as are inscribed on the Bureau de l'Assistance Publique, the only thing at all answering to a Poor-Law rate, in all the departments of France; but as we have already observed, a very considerable portion of these consist of the aged, the infirm, the sick, the incurable; and the last return of the Poor-Law Board shows some slight decrease in pauperism itself. The measures we have mentioned as about to be adopted, will, it is hoped, lower the amount of tramps and vagrants. The scheme now under consideration for improving the dwellings of the labouring poor, will undoubtedly tend to raise their moral and social condition, and thus diminish the two dark spots on the escutcheon of Great Britain—pauperism and crime.\*

\* "State of Pauperism," May, 1866. The persons in receipt of relief from the poor-rates in England and Wales, at the end of the month of March, were 5·5 per cent. fewer than at the corresponding period of 1865, and 7·6 per cent. fewer than at the corresponding period of 1864. The absolute number is given at 907,201 at the end of March, 1866, but above 3 per cent. may be added for vagrants and lunatic paupers not in the workhouse, and for parishes not under the Poor-Law Board, and making no return. The main decrease was in the manufacturing districts returning gradually to their

normal amount of pauperism. The decrease in the north-midland, north-western, and Yorkshire divisions taken together was 17·6 per cent. as compared with March, 1865, and 26·1 per cent. as compared with March, 1864. In the metropolis there was an increase of 1·8 per cent., and 7·0 per cent. over the two former periods respectively. The number of paupers at the end of the parochial year in March last was 25,000 greater than at the end of the Christmas quarter, but an increase in the early part of the year is to be expected.

## WOMAN IN ENGLAND.

## PART I.

“WHAT mean the rights of women? What means this cry of emancipation which suddenly resounds on every side?” Such is the commencement of an article which has lately appeared in an English periodical, enjoying a very high reputation, due to the incontestable talent, the brilliant and sarcastic wit of its contributors, and exercising no inconsiderable influence, the result perhaps more of fear than of sympathy. In what indeed consists the demands put forth so energetically by the women of England? In what sense do they interpret that oft-reiterated and much-abused word of emancipation, which in France has turned so many heads, and has never led to any result save the most consummate absurdities or the most frightful disorders? It is but fair to confess that, even among the most violent of these fair innovators, the practical spirit which distinguishes the English race has held its ground. They do not, like certain French lady reformers, demand the abolition of marriage, or what they call free unions; they do not insist, with Claire Desmarnes, the ardent apostle of St. Simonism, that the first and indispensable condition of elevating the female sex is to place the new-born infant in the arms of the social mother, the nurse appointed by the State; they do not, like the disciples of Fourier, propose establishing a classification in love, according to the taste and nature

of the individual ; nor do they, like Flora Tristan, claim absolute and exclusive sovereignty for their own sex. The English lady innovators are divided into two camps. The less ambitious, and in our opinion the wiser section, direct their efforts principally towards bettering the condition of the mass of women who have to gain their livelihood by intellectual or manual labour. They would fain enlarge the sphere of woman's occupations, and throw open to her a variety of employments now monopolised by men. They desire the reform of those laws which affect the rights and property of married women ; they claim a share in the direction of certain charitable institutions especially intended for their own sex ; and they demand for women in general a more enlightened and comprehensive system of education—a system, in short, more in keeping with the new duties imposed by modern society.

The other section are not contented with these reforms. They insist on being placed on a complete equality with the male portion of the population as regards every right, social or political ; they allege, and it must be confessed not without some show of reason, that many women of really superior intellect cannot obtain the position which they might justly claim, and which they are capable of filling with advantage to themselves and others ; that their aspirations towards the good, the great, and the beautiful, are perpetually checked and thwarted by law, custom, or prejudice ; and that they too often find themselves condemned to waste their existence in vain regret and hopeless inaction.

In comparing the social position of women at the present period, in England especially, with that which they held a century ago, one is inclined to think, at first sight at least, that they really have not much ground for

complaint. The nineteenth century, while enriching us with so many new and wonderful discoveries, transforming, as it were, the face of nature, and drawing the two hemispheres closer together, has effected moral changes not less important to the destinies of the human race. Silently, but surely, woman has advanced in the path of progress. The days when a certain degree of courage was needed to demand the free development of her mental faculties, and the extension of a good and solid education to girls as well as boys, lie far behind us. No one, either in England or elsewhere, contests her right to enter freely into the great domain of thought and intellect, or to claim her due share in the important philosophical labours and social improvements of all descriptions which mark the present epoch.

If woman is no longer, as in the days of chivalry, the object of a kind of romantic worship—a worship, by-the-by, pretty much confined to dames and demoiselles of high degree—she enjoys, on the other hand, influence far more general and more rational, and a more intimate and complete participation in the actions and tendencies of the age. She has definitely conquered many rights and privileges which were formerly withheld her; she walks side by side with man in the paths of usefulness and labour, art and literature; many liberal professions are already thrown open to her, and their circle widens from day to day. Doubtless, certain prejudices yet remain to be overcome, certain barriers to be broken down; but it cannot be denied that most of the avocations from which she is still excluded, whether political, professional, or others, are such as the duties of her sex would render it most difficult, if not impossible, for her to fulfil, even were they accessible. And yet it is at this very moment that

we hear, especially in England, these bitter complaints, these cries of distress, these reiterated demands for a more enlightened system of education, a more extended field of labour ; in a word, a wider and loftier sphere of action and usefulness. Nor do those Englishwomen, who devote themselves to female emancipation, content themselves with speaking through the medium of the other sex. They have their own journal, their own printing press ; they read their own discourses at the social science meetings, which are held every year in London or elsewhere, and they defend their cause with an energy, a courage, and an ability which cannot fail to command admiration and sympathy.

To what are we to attribute this movement ? Is it that, despite all this apparent progress, despite the seeming equality of the two sexes, there really do exist in society as it is actually constituted inequalities so glaring and so unjust as to more than counterbalance the advantages enjoyed by women in the nineteenth century ? Is it that the spirit of moral fermentation, everywhere at work in our days, which is hailed by some as an indication of progress, and deplored by others as a sign of degeneracy, has penetrated deep into the soul of women, and has rendered them unreasonable in their claims, and fantastic in their aspirations ? There may be truth in both these suppositions. That which satisfies the human mind in one phase of its development, no longer satisfies it in another. In proportion as women have won a higher standing in the social and intellectual world, their ambition has naturally increased. That which contented them fifty years ago contents them now no longer. They believe they have the right, and they feel they have the power, to demand something more. It is likely enough *that their pretensions are not always well founded ; that*

they exaggerate alike the wrongs they endure and the privileges they claim ; but that is only a natural consequence of the reaction from the state of inferiority and restraint in which they were so long held.

Nor is this all. Despite the undeniable progress we have above described, it must be confessed that women have more than their just share in the common ills of humanity. Let them turn where they may they find all sorts of difficulties in their path. In the first place, their labour is seldom remunerated half as well as that of men. Although the mission of wife and mother is not the only one that Providence has assigned them, it is the holiest and the most natural ; yet at the present day there are thousands to whom marriage is an impossibility. Thus condemned to an isolation, as contrary to the instincts of their hearts as to the laws of nature, thrown upon their own resources, labour becomes an essential condition of their existence. If rich, they need it as a friend and consoler, a refuge from the weariness, the fearful void of an existence without aim or end. If poor, it is of course indispensable to provide for the material wants of life, and to save them from the abyss of vice and misery which is ever yawning beneath the feet of the destitute girl, ready to engulf her at the first false step. Nor is this a subject for regret. Labour in itself, when not too arduous or too prolonged, is a blessing for every human being. It elevates the mind, it ennobles the intellect—nay, it is one of the essential conditions of happiness on earth. But while the number of women who have to work for their livelihood increases daily, the means of earning that livelihood becomes daily more difficult. True, the manufactories are open to any woman who chooses to enter them, and the rate of wages is tolerably high ; but this factory life, which takes the young girl

from her mother's side and the mother from her infant's cradle, invariably weakens the ties of family life, and too often ends by demoralising both parents and children. Yes, it cannot be denied, despite the material and moral progress of humanity, despite all the improvements which have been effected in the condition of the working classes within the last century, the fate of the woman who has to gain her bread by her own exertions has in many respects become worse rather than better.

Throughout Europe the woman question, as it is called, stands in the foremost rank of the many difficult and important problems which the present age is called upon to solve, and on that solution may depend the happiness or misery of unborn generations.

In England this question assumes a still more serious aspect than in any other country, for there the surplus of the female population is greater than elsewhere. The census of 1848 estimated this surplus at 489,000 women above twenty years of age, and in 1851 it had increased by 20,000. Among these women, one in four naturally can never marry; there are, therefore, 250,000 unmarried women, many of them absolutely penniless, not a few well born and gently bred, without reckoning those left unprovided for by premature widowhood, with children to maintain, and who suffer cruelly from the comparatively narrow limits of the field of labour open to them. Is it wonderful that this state of things should attract public attention, and call forth amongst certain of the fair sex, who consider themselves aggrieved, one of those pacific agitations which in England attend the habitual exercise of liberty?

We will not enter into the idle controversy regarding the pre-eminence of man, or the equality of the two sexes. We very much doubt whether it is possible to decide this



much-vexed question. It is certainly true that, despite the great and legitimate success which has of late years attended woman's achievements in art and literature, she has never yet attained the very highest summit of human intellect. But then it must likewise be remembered that she has never yet been placed in precisely the same intellectual condition as man. Her studies have rarely been either serious or profound; and in all ages, if a woman desired to devote herself to any career removed from the ordinary sphere of her sex, the effort has been attended with no inconsiderable difficulty. How can we expect, then, that faculties so long suppressed and kept in abeyance should all at once attain the highest development of which they are capable?

But, granted, that in the domain of philosophy, art, or science, woman can never rise to the height of a Newton or a Descartes, a Milton or a Raphael; what then? Genius is the portion of the chosen few. The intellect does not constitute the whole human being. Man has within him two elements, two powers—reason and feeling; and the one is as essential to the welfare of society as the other. Indeed, the word equality, in its absolute sense, can scarcely be applied to moral and intellectual beings. If man has moulded the world pretty much in his own fashion by his force of will, his strong and vigorous intellect, and his indomitable energy of purpose, a task not less important, and even more holy, was reserved for woman—to refine and purify that world, by her quick and intuitive sense of the good and beautiful, to harmonise and perfect it by her power of self-sacrifice, her charity, and her love. If her judgment is more easily biased than that of man, if justice, in its pure and abstract sense, is more difficult of attainment to her mind than to his, she has a far keener perception of human suffering in its

thousand varied forms, and knows far better than he how to mitigate and assuage it. What purpose can be served by placing in mutual antagonism two sexes which Providence has created to lend each other aid and support? The individual must always be an incomplete being; it is love alone that hallows and perfects him. God has assigned a special part for each of his creatures; woman's mission differs in many respects from that of man's, but difference does not imply inferiority; on the contrary, it serves to draw still closer the bonds of mutual affection, and to maintain peace and harmony in the relations of daily life. The contrast between the two sexes places the merits of each in stronger relief, and it is because this fundamental truth is too often ignored that the equality, or inequality, of men and women is the subject of such endless and angry discussions.

In the following pages we shall endeavour to give a rapid sketch of the history of the women of England, from the most ancient times to the present day. It is only by examining their condition in past ages that we can understand their present situation, and decide whether their complaints are well founded, and their claims legitimate. It is of women in England only that we are about to treat, but the question so passionately discussed in that country is not purely local; it interests the women of every land, and assumes a place among the most important problems of the nineteenth century.

Woman, according to the expression of Michelet, is by nature a spinner or a weaver. Among the Anglo-Saxons in particular, the latter of these designations seems peculiarly appropriate, for the words "wife" and "woof" are derived from the same root, and all unmarried English girls are still denominated spinsters, i.e. spinners.

We know very little of the condition of women among the earliest inhabitants of the British isles. Undoubtedly those of the more barbarous tribes suffered the general fate of the weak and helpless in savage life—slavery; but by the more civilised, at least if we are to credit the authority of Tacitus and Julius Cæsar, they were treated with some consideration. They even exercised the regal authority, for the only female names we find recorded in the history of ancient Britain at this obscure epoch, are precisely those of two queens, Carsimandua and Boadicea. It would seem, then, either that woman, as woman, was the object of a certain respect among the ancient Britons, or that the rank of queen sufficed to raise her above the ordinary level of her sex in their estimation, for we must remember that Boadicea had no difficulty in assembling the Britons beneath her standard, and leading them to combat against the Romans, to avenge the outrage of which she had been the victim.

The condition of the weaker sex in ancient Britain, whether under the administration of the Romans or after their departure, was probably by no means enviable. It is rather a singular fact, that the women of the lower orders seem to have enjoyed some privileges denied to their superiors. The chiefs and the landowners, absorbed in the rude pleasures of the chase or the banquet, attached little value probably to the society of women, or even to their services; but in the agricultural classes (the holders of small patches of land) they necessarily played a more important part, since every domestic duty—those duties on which, in a semi-barbarous state of society, the comfort—nay, almost the existence—of the family depended, fell to their share. In this class we find that, in case of separation, the goods and chattels, which formed the joint property of husband and wife, were equally divided be-

tween the two, while in the higher ranks by far the larger share remained in the hands of the husband.

The influence of Teutonic manners and customs was felt among the Anglo-Saxons even before the introduction of Christianity. Woman was raised to a position far above that she held among the Britons. Maid, wife, or widow, she had the right of inheriting, possessing, and willing away, not only money, but lands. The robes and jewels, which formed a considerable portion of her dowry, were her own exclusive property. She could bring an action against any one who insulted her. She could be present at the wittenagemot and the shiresgemot. Her person and property were protected by special enactments, and any attempt on either was punished by a fine of unusual severity. It cannot be denied, however, from all that has come down to us of those half-barbarous days, that, despite these laws, women were exposed to frequent oppression and outrage.

Christianity, introduced into England towards the year 600, found in woman its most fervent proselyte—its most zealous defender. This Divine faith appealed to every pure and noble instinct of her nature. She felt that in embracing the religion of Christ, it was her own cause that she was espousing. By forbidding alike concubinage and divorce, both of which were permitted among the Anglo-Saxons, by subjecting the marriage tie to laws at once simple and severe, the new faith raised woman in the social scale, and proclaimed her, in her true light, as the guardian angel of the domestic hearth. It invested her with a serene dignity, to which she had hitherto been a stranger. It hallowed her activity in its most natural and legitimate sphere of action—the family. It created for her the safest of sanctuaries—the home; for the family can scarcely be said to exist, when at any

instant, and on the slightest pretext, the conjugal tie can be broken ; and the domestic hearth has little charm for the woman who shares it with a rival.

It was by women that were founded the greater part of those convents and monasteries which soon arose in England, on every side, like harbours of refuge in the midst of a stormy ocean. These alone kept alive the sacred flame of knowledge, which would otherwise have been extinguished perhaps for ages.\* The invasion of the Danes in 787 was the signal for the destruction of these peaceful retreats, and ere long a night of ignorance spread over the whole land. Thanks to the illustrious Alfred, a ray of civilisation at length pierced the gloom, and, according to tradition, it was a woman, Queen Judith, who first sowed in the mind of the young king those seeds of learning and that love of literature which made him the benefactor of his people.

The Saxon ladies of high rank were fond of serious studies, and devoted to learned lore every moment not absorbed by those manual labours absolutely indispensable at that primitive epoch, when the mistress of every household carded, spun, and wove the wool in which her husband and children were clad, and manufactured it into garments with her own hands. At banquets and public festivities women were not only admitted, but the places of honour were reserved for them.

As to the females of the lower orders, we know very little of their social condition. The middle classes, though they certainly did exist at this period, have left no record on the page of history ; and the serfs, who in everything but name were slaves, seem to have endured very harsh

\* From crimes and tumults it is consoling to turn to the contemplation of the learned and pious in their peaceful cells.—Knight, vol. iv., p. 74.

treatment at the hands of their mistresses, for in illuminated manuscripts of the eighth and ninth centuries we see female slaves tied to posts and subjected to the lash.

The Norman conquest, disastrous as it was to the Anglo-Saxons in a national point of view, was not unfavourable to women. Indeed, on the whole, the feudal system ameliorated the condition of the weaker sex. The Anglo-Norman chatelaine exercised an influence more extended and more calculated to refine and soften the manners of those around her than the Saxon dame. But let us not deceive ourselves. In law, the husband was lord and master in the fullest sense of the word ; even the right of inflicting corporal chastisement on his better half was always recognised, and occasionally put in practice. An old chronicle tells us that a certain Norman baron, finding his wife troublesome and disobedient, knocked her down, and gave her a kick, which broke the bridge of her nose. "So," continues the chronicler, naïvely, "she remained without a nose for the rest of her life, the just punishment of her insolence." The most singular part of the matter is, that these indignities, far from exciting the anger or detestation of their victims, seem only to have augmented their love and respect for the perpetrators. The beautiful Matilda of Flanders, for instance, after having four times refused the hand of William the Conqueror, was so struck with amazement and admiration at his audacity in forcing his way into her apartments, and literally beating her black and blue in the midst of her attendant maidens, that she actually consented to become his wife ! Still, though the individuality of the woman was *subordinate* to that of the man, it was by no means destroyed. As to the female slaves, there is reason to believe that the Norman ladies were more gentle mistresses than the Saxons.

Queen Maud, wife of Henry Beaclerc, who shared her husband's intellectual tastes, accelerated the progress of civilisation in England by inviting all the learned men of Europe to her court, and granting them her patronage and protection. The letters of St. Anselm and the verses of St. Hildebert attest the admiration with which her virtues and talents had inspired those illustrious men. The second wife of Beaclerc, the fair Adelaide, likewise loved literature, but of a lighter character. Her delight was in poetry, and her taste for verse and song gradually diffused itself among the higher classes in England, and served to soften their manners and refine their tastes. She turned her special attention to the encouragement of religious communities, to those in particular which were devoted to the education of young girls.

The history of English convents, interesting in so many points of view, is particularly so when considered with regard to the intellectual progress of women. In those rude and turbulent days the cloister was the only shelter from violence and persecution—the sole refuge of art and religion.\* It was in these *pious retreats* that the necessity and duty of cultivating the female mind was first recognised in theory and carried out in practice, and the schools attached to every convent afforded women the one means then existing of attaining a certain degree of education. At first the teaching was entirely gratuitous ; subsequently payment was received from those who could afford it. The instruction comprised—grammar, that is to say, Latin, logic, music, French—then spoken not only at court, but in the higher ranks of society,—and em-

\* The education of the young was the business of the Church under the ancient ecclesiastical system of England ; there were schools attached to most of the abbeys.—Knight's "History of England," vol. ii.

broidery, for which the English nuns were long celebrated throughout Europe. The rules to which the sisters were subjected were less stringent than those imposed on cloistered communities of the present day. They were permitted to receive their friends in each other's presence, and without the impediment of a grating—to visit their nearest relatives, though at rare intervals—to attend them when ill, and to follow their remains to the tomb. They were the sick-nurses and physicians of the whole neighbourhood, and we have reason to believe they rarely abused the liberty granted them. Wickliffe, the author of "Piers Ploughman," and Chaucer, while severely reprobating the real or alleged immorality of the monks, seldom venture an imputation on that of the nuns. No portrait Chaucer has drawn is more charming than that of the abbess, and it is in her mouth that he has placed one of his prettiest tales. That many abuses had crept into these religious retreats is probable enough; but even the commissioners of Henry VIII. did not venture to attack the morality of the larger female communities, and the accusations directed against the less important were but vague, and, there is reason to believe, devoid of foundation.

Twenty years of civil war put the utility of convents to the test. But for them literature and science, still in their infancy, would probably have perished. During the long peace which followed the accession of Henry II. to the throne of England, convents and schools both raised their drooping heads. Despite her vices, Eleanor of Guienne merited the gratitude of the English nation for her patronage of the gay science. The disastrous reign of John, the continual wars between England and France during those of Edward I. and Edward III., did not prevent the love of poetry from



gradually diffusing itself among the more educated classes of both sexes.

The Crusades exercised a deep though transient influence on the women of England. Those epic poems of the Middle Ages, as they have been aptly termed, awoke in the hearts of the fair sex those ardent feelings of enthusiasm and devotion which make heroines and martyrs. Wives and sisters, maids and matrons, in the garb of pages or the armour of knights, abandoned the domestic hearth to follow their husbands, brothers, and lovers to the burning shores of Palestine. No peril dismayed, no fatigue discouraged them, and, though they certainly had not much share in the victories of the Christians, they at least softened the ferocity of the conquerors and the sufferings of the vanquished.

Chivalry, with its gay and graceful manners, its tone of lofty gallantry, transforming the rude warrior into the courteous knight, brought a new era to woman. It raised her on a pedestal, where she received the homage of the best and bravest, of prince and people, and surrounded her with a halo which shed a radiance over the whole sex. The tender and passionate worship now rendered at her shrine was a sort of protest against the gross egotism of feudal marriages in general, the motives of which were so frequently mere political interest or personal ambition. But chivalry, so delicate, so refined, so lofty in tone and feeling at its commencement, rapidly degenerated into almost unmingled licentiousness. Woman thus lost on the one hand what she gained on the other. By removing her from her legitimate sphere of action to one in which her influence was far less holy in its nature, and less blessed in its results—by shedding a false lustre over mere sentiment, and deriding the sacred name of duty—by relaxing the bonds of marriage, which ere long

were regarded as incompatible with love, chivalry introduced follies and vices, the results of which were soon fatally apparent. Not only was a married woman permitted to give her heart to any one she pleased besides her husband, but the *cours d'amour* enjoined her as an absolute duty *not* to love him to whom her faith was pledged at the altar. And yet such is often the contradiction between the manners and the institutions of an age. While this laxity of morals was granted the fair sex in the fullest sense of the word, the wife was still, according to law, completely in the power of her husband. Everything she possessed on marriage, everything that might fall to her share after marriage, belonged to him, and with him rested its absolute disposal.

The expressions of *Baron and Femme*, with which all judicial proceedings between married couples opened at that period, prove the inferiority of the woman in the eyes of the law. If her lord and master murdered *her*, he was simply hanged; it was an ordinary felony. If she murdered him, she was burnt alive; it was *petty treason*; and this atrocious enactment, though fallen into complete disuse for centuries, was formally repealed in 1820 only.

The laws which regulated the conditions of marriage so completely in favour of the husband were of gradual growth, and perhaps were the inevitable results of that same feudal system which, in other respects, exercised a beneficial influence on the condition of woman. As a *lady*, every knight was bound to give her aid and protection; as a *wife*, she was entitled to the devotion and respect of the man on whom she had bestowed her hand. All this was fully acknowledged; but she was not only a wife and lady: she could possess land and inherit. Hence, like the other sex, she contracted the obligation

of rendering feudal service, which was due from the age of twelve to that of sixty, to him of whom she held the fief. By this she was bound to fight in person, or lead on her vassals to the combat at the summons of her feudal lord. Now, as her sex prevented her doing either the one or the other, her husband was of course bound to replace her, and, according to the rude ideas of justice of those times, all the wife possessed became by right the property of the husband, as a compensation for the services he rendered in her stead. The domestic avocations of women had undergone but a slight change since the preceding century. Noble or burgher, they continued to spin, weave, knit, and embroider; a loom and spindle were indispensable articles of furniture in every household, whether rich or poor. In the feudal manors the younger ladies and female servants pursued these labours, in which the chatelaine herself took her share, either in the lady's apartment or in a chamber appropriated to that purpose. Gradually, however, as the simplicity of manners declined, the high-born dame abandoned spinning and weaving to the women of the middle and lower classes; and so completely engrossed was the time of both by this manual labour, that even the wife of the well-to-do yeoman had little leisure to attend to the neatness and comfort of her household.

Thus English homes, so celebrated in the present day for their exquisite cleanliness, were in the Middle Ages just as notorious for the opposite qualities.\* Yet women worked not as now in a factory away from their homes, but at the corner of their own fire-sides and at their cottage doors. The preparation of the raw material and the manufacture of the family clothing constituted a branch of domestic industry.

\* See "Erasmus's Letters," &c.

Gradually, however, music and painting, still in their infancy in England, began to form a portion of a lady's education. In the illuminated manuscripts of the thirteenth and fourteenth centuries we see the fair dames or damsels seated before an easel, palette in hand, or touching the notes of an organ or harpsichord. The passion for dogs and birds was carried to such an excess, that the satirists of the times accused the high-born dames of famishing their dependents, while they fed their favourites on the most delicate fare. But the olden time had something good in it for all that. No English lady of high degree, or middle station, could complain then, as many of them do *now*, of wanting sufficient occupation. The title of mistress of the house was not an empty designation—it implied real and important duties; she had to preside at the repasts not only of the family, but of her servants; to rise early in the morning and assure herself that her domestics were stirring, and to retire to rest the last at night, that she might see the doors locked and the fires and lights extinguished. A large bunch of keys, suspended from her girdle by a silver chain, was her insignia of office. With her own hands she prepared the pastry and confectionery for her husband's table, the rose and lavender water for her own toilet, the medicines and ointments for the sick and suffering in her household or parish, for she was both nurse and doctor, especially in the country districts. Every garden had its medicinal herbs, every castle its pharmacy. The ladies studied seriously the properties of plants, and learnt to administer decoctions and bind up wounds, which constituted pretty much all then known of the art of healing.\* The

\* The readers of Chaucer may perhaps remember Dame Pertileit in the "Nun's Priest's Tale," and the Anglo-Norman romance of "Amis and Amiloun," the hero of which being attacked with

ordinary amusements of women in the Middle Ages consisted in blind man's buff, puss in the corner, battledore and shuttlecock ; in short, in games of all descriptions. There was a child-like merriment, a sort of robust cheerfulness, in both men and women in those old days, which must have been well worth having despite its roughness, and which seems to have been lost amid the feverish excitement, the subtler and more complex train of thought of the present age. Hawking and hunting were reserved for ladies of high degree ; sometimes they followed the chase alone, sometimes attended by a page, more frequently accompanied by their husbands or fathers.\* The cultivation of flowers was one of their favourite amusements, the taste for gardening being already very general in England. We have no space to speak of the tournaments and jousts, which invested those rude and warlike days with so bright and poetic a lustre—where the fair dame or damsel gave with her own white hand the prize of victory to the conqueror. It cannot be doubted that this life in the open air contributed not a little to the vigour and beauty for which the ladies of the Middle Ages were so celebrated ; while in the burgher classes the active domestic occupations, which engrossed so large a portion of the housewife's time, had a similar effect.

Far be it from us to deny women those intellectual pursuits in which, as they daily prove, they are capable

leprosy is conducted by the wife of his friend to her own chamber, where she undresses him, bathes him, puts him to bed, and tends him with her own fair hands till he is perfectly recovered.

\* In the illuminated MSS. of the Middle Ages the ladies are represented as riding astride, but as side saddles had been for some time in use in the fourteenth century, this results, in all probability, from the ignorance of perspective in the artists.

of attaining so high a degree of eminence, from seeking to confine them within any one fixed circle, or condemn them, let their tastes and talents be what they may, to the weariness and monotony which is ever the fate of the unoccupied mind. But we may be at least permitted to inquire how far a woman can devote herself to the long-continued pursuit of the abstract science of philosophy, law, and other absorbing studies, beneath which so many young and promising men sink into an early grave, without injury to her delicate organisation, and consequently to the health of the human race, of which she is the mother.

As to the manners and morals of the English ladies of the thirteenth and fourteenth centuries, they were anything but irreproachable, if we are to believe the poems and romances of the day. Those of the burgher class were less lax; but their habits would seem to us strangely unbecoming. In the evenings they met together in the taverns, to play at dice and drink huge flagons of ale.\* In fact, despite the graceful gallantry, the sincere and ardent faith, the lofty sentiment of chivalry, which to a certain degree characterised the Middle Ages, English society at that period was at the *core* coarse and vulgar, and this coarseness was naturally most apparent in the female sex.

But towards the close of the fourteenth century, and during the fifteenth, that society underwent a slow but important transformation. The wars of the two Roses, while inundating the country with blood, served the cause of civilisation. They diminished the power of the high barons, and augmented the independence of the

\* See Strutt's "Manners and Habits of the English in the Middle Ages."

country gentleman, an important and increasing class. Villenage and feudalism were both drawing to a close, and the rapid extension of commerce gave the middle orders an importance of which they were not slow to avail themselves. Ere long the wives of the merchants, and even of the wealthier tradesmen, rivalled the ladies of the aristocracy in luxury and splendour; but still, with a few exceptions, every household continued to manufacture its own garments. It was towards the end of the fourteenth century that manufacturing industry took its rise, and its progress was at first slow and timid. A few rich wholesale dealers in cloth, or *merciers* as they were then designated, assembled some thirty weavers in a large room, and set them to work together. After a while women were likewise enlisted in the service, but in very small numbers, and the two sexes were rigorously separated. Gradually, however, manufacturing industry increased to such a degree that it began to compete with domestic industry.

Towards the close of the reign of Henry VIII. there were several manufactories of considerable importance in England, where men and women worked together; but they resembled large families rather than that vast heterogenous population herded together in the enormous factories of the present day. A chronicler of the period has left us a curious account of a visit paid by King Henry VIII. to the establishment of one of these mercers, or cloth manufacturers. He speaks of 100 married women who carded, singing joyously, in a room apart, and of the 200 young girls spinning in another room, with their red flannel skirts, their white caps, their sleeves fastened to the wrist by bows of crimson ribbon, and their charming faces beaming with health and cheerfulness—a striking contrast, it must be admitted, to the

girls and women of the English factories of the present day.

In the Middle Ages silk was employed in England for laces and ribbons only, and ever since the introduction of this branch of industry into the country, women had been exclusively employed in its manufacture. They were called *silk-women*, and belonged apparently to a better class than the spinners and carders in flax and wool.

They were likewise the objects of special protection ; for, in the reign of Henry VI., when the competition of the Florentine and Genoese silk merchants menaced native labour, we find a statute against the importation of wrought silks, a petition having been presented, stating "that such importation had caused great idleness among young gentlewomen and other apprentices of the same craft, and the laying down of many good and suitable households, of them that have occupied the same crafts, which be convenient, worshipful, and according to custom for gentlewomen and women of worship," and praying that it might be forbidden ; which prayer was granted.

Towards the middle of the fifteenth century this monopoly was withdrawn from the female sex ; but women continued to take a large share in the manufacture of silks. It was from the hands of her silk-women that Queen Elizabeth received the first pair of stockings in that material ever fabricated in England.

The young maidens of the middle and lower classes found an unfailing resource in domestic service, a condition then considered as peculiarly desirable for young girls. No sentiment of humiliation was attached to it ; it was regarded as a fit and proper discipline and preparation for the future duties of life. The attendants of



a lady of high rank were always themselves of good birth. Once entered into the family, unless guilty of some serious offence, they left it only to be married ; and on this important occasion the noble lady dowered the maiden, presided at the wedding ceremony, and gave away the bride. As to those who remained single, and did not enter service, the convent afforded them a safe and peaceful asylum.

The Reformation exercised an important, and, upon the whole, a salutary influence on the female sex in England (1521). Every new religious movement at its outset destroys certain existing abuses. The innovators, animated with a sincere and ardent zeal, always direct their first attacks against the notorious errors which have gradually grown up in the rites and worship of the religion they endeavour to modify or destroy. Still it is doubtful whether the results of the Reformation have been favourable in all respects to the social condition of woman. Indeed, it may be questioned whether many of the evils of which they complain at the present day in England may not be traced to that very source. In the Catholic Church woman had her appointed place. That Church received her among its saints and martyrs. To the lonely being deprived by destiny of the joys of family affection, it offered a calm if not a happy asylum. Catholicism had associated woman with its own benevolent action, and invested her with a sacred character which hallowed her efforts. It opened a safe and sure refuge to the orphan and the widow, to the heart bowed beneath the weight of sorrow, and too weak to sustain the struggle with the trials and temptations of life. It received beneath its fostering care the abandoned and orphan child—it covered with its sacred mantle those whom the world had rejected—it afforded them the

means of atoning for their sins by prayer, penitence, and holy works, and thus raised them from their abasement and degradation, if not in the eyes of man, at least in those of God. Luther, in proscribing the convents, in forcing the nun to return to the world she had quitted, confined the sphere of woman to her domestic duties as wife and mother. It never occurred to him that there must be many to whom those dear and holy ties are denied, and who too often, finding or believing themselves without any mission on earth, fall a prey to idleness, weariness, and sometimes even sin.

But these results did not appear till a subsequent period. During the latter half of the sixteenth and the first half of the seventeenth century, the women of England, particularly those of high rank, display a combination of feminine gentleness and intellectual superiority which lend them a peculiar charm. To the softer virtues of their sex they united a cultivated mind, a lofty intellect, a variety and extent of learning, great elevation of soul, and a piety as fervent as it was sincere. Theology, logic, Latin, Greek, and Hebrew, such were the studies of Queen Elizabeth, Lady Jane Grey, Lady Ann Pembroke, and many other high-born dames of the age. This education, at once severe and varied, included modern languages—that is, French and Italian—music and drawing, while domestic duties were sedulously inculcated.\* The fair fingers which handled the pencil

\* Mrs. Evelyn, wife to the celebrated writer, spoke French and Italian in perfection. The designs with which she adorned her husband's translation of "Lucretius," revealed the true artistic spirit of the artist. Ralph Thoresby speaks with admiration of her paintings on enamel. Lady Ranelagh was a first-rate Hebrew scholar, and Lady Langham could discuss the most difficult philosophical question in several languages—ancient and modern.

and touched the keys of the harpsichord, could likewise turn the spinning-wheel, ply the knitting-needle, make preserves and pastry, and prepare balms and ointments for the sick and suffering ; for, though since the fifteenth century the profession of doctor had fallen into the hands of the sterner sex, the art of healing had still many an adept among ladies, especially those who resided in the country.

This sketch is too rapid to permit of our entering into a detailed account of the state of female education during the seventeenth century. At the close of that period, indeed, it had already undergone a considerable change. The high standard of the Elizabethan age was lowered under the successors of that erudite princess, James I. and Anne of Denmark. The vulgar tastes of the one and the frivolity of the other were by no means calculated to elevate the character of the female sex.

The private virtues, the literary and artistic tastes, of Charles I. did much to raise the tone of society in the higher classes ; but the Civil War, while it called forth a thousand traits of heroism and devotion on the part of women, could not but interfere sadly with their mental and intellectual culture. Indeed, if we wish to see them in the fairest light, distinguished alike by virtue, erudition, dignity, and grace, we must go back as far as the beginning of the seventeenth century, for from that moment their education becomes more and more superficial. Still we have reason to believe that a celebrated modern historian has exaggerated the ignorance of the fair sex in the days of the Stuarts.\* True, the study of the languages of antiquity, theology, and logic, had ceased

\* In his celebrated "History of England," Macaulay states that the greater part of the women in those days could neither read nor write.

to form the basis of female education ; but, till the very end of the seventeenth century, we find women to whom not only Greek and Latin but Hebrew and theology were familiar.\*

Lady authors, indeed, were rare. Women of superior intellect, who might have justly assumed the title, avoided publicity with as much eagerness as they now court it. Many of these ladies have left works of the highest interest, though written only to transmit to their children, the recital of the stirring times in which they lived, and the dramas in which many of them played a more or less important part. The memoirs of Mrs. Hutchinson, Lady Fanshawe, and many others, have secured their authors an honourable rank in English literature. In these memoirs, which did not see the light till long after their authors were mouldering in the dust, we do not find the airy grace, the sparkling wit, the brilliant imagination of many lady writers of the present day ; but they display a nobility and simplicity of soul, an originality of thought, a fervent piety, which touch the heart and elevate the mind. The early training of young girls at that period would probably be deemed harsh in the present epoch ; and certainly, at times, it did assume an austere form, and was perhaps calculated to check the natural effusions of young and affectionate hearts ; but it excluded neither

\* The celebrated Evelyn tells us that his eldest daughter, who died in early girlhood, not only spoke French and Italian perfectly, but could read Herodotus and Plutarch, Homer and Virgil in the original ; that she was an admirable musician and a charming artist. The younger united to the varied acquirements and talents of her sister a peculiar genius for oil-painting and miniature. "Mr. Evelyn," writes Mr. Horby, a well-known painter of the seventeenth century, "showed me several pictures by his daughter, one in oil, the size of life, so admirably executed that it might easily have been attributed to one of the first masters."

confidence nor affection, while it certainly tended to foster that spirit of childlike respect and reverence which is so rapidly disappearing in our own day. This spirit pervaded even the relations of conjugal life. The wife regarded as the dearest and most sacred of duties that submission which certain fair innovators now stigmatise as a mark of inferiority. This gentle and loving obedience did not in any way detract from the dignity of her who paid it, for never did the women of England evince greater strength of character, more unflinching courage and resolution, than towards the close of the sixteenth and the commencement of the seventeenth centuries. This is sufficiently proved by the history of the Civil Wars, in which the women displayed no less energy than the other sex. More than one fair royalist, when besieged by the Puritan forces in the absence of her lord, defended her castle to the last extremity, mounting the breach, animating the soldiers by word and action, and surrendering only—when she *did* surrender—with the honours of war. Their intrepidity was equalled by their devotion. One and all were ready to lay down life and fortune without a murmur for that cause which, from the cradle, they had been taught to believe the cause of God.

The wives of the Republicans, on the other hand, assisted in defending the gates of the cities entrusted to their husbands' charge, fearlessly braved the perils of a siege, and vied with each other in offering up all they possessed—plate, jewels and money—on the shrine of civil and religious liberty.

It is evident, then, we must not attribute the conjugal submission of the women of the seventeenth century to weakness or frivolity. They were influenced by a feeling far higher and nobler—reverence for the Word of God. But that Divine word, while it bade the wife obey the

husband in all things lawful, imposed on the husband an equally stringent obligation to honour the wife. Profoundly impressed with this sacred precept, the Christian husband of the sixteenth century seems to have strictly performed his part of the marriage contract, consulting the partner of his existence in every circumstance, installing her as sovereign mistress in their common home, and treating her on all occasions with exceeding tenderness and boundless confidence. True, the laws which regulated the social condition of the married woman were, in many respects, even more unjust than in the present day; and then, as now, the power of the husbands degenerated occasionally into tyranny, or even brutality, especially among the lower orders; but we have every reason to believe that, in the more educated classes, the depth of true religious feeling, which was then the ruling sentiment in every Christian household, imparted to the conjugal relation a degree of mutual love and respect which have never been exceeded.

One distinctive trait in the character of the ladies of the seventeenth century was an ardent, an inexhaustible charity, combined with a marvellous economy. This liberality naturally took a very different form from that which it assumes in the present day. Of the charitable and philanthropic institutions with which England now abounds, scarcely any were then in existence. Throughout the whole country there were but two hospitals, and few almshouses. The innumerable charitable establishments, consecrated to God and the Virgin, for the reception of old men, women, and children, had disappeared with the convents and monasteries, to which most of them had been attached. The Reformation, in suppressing the one, had swept the other away. The colonies, the safety-valves of Great Britain, which have been, and

still are, so useful in relieving the mother-country of her surplus population, were in their very infancy. The Poor Law was, as it still is, inadequate to cope with the increase of poverty inseparable from an increasing population. Nor did the English ladies of the seventeenth century confine their generous efforts to mere almsgiving, to feeding the hungry and clothing the naked; they pensioned the widow, dowered the maiden, and ransomed the captive; they founded schools for the young and asylums for the old, some of which still survive, monuments of a charity that knew no limits save the utter impossibility of doing more. The first ladies of the land did not disdain to dress the wounds of the sick and suffering poor with their own hands; nay, they frequently turned a part of their castles into hospitals for pauper invalids. In certain houses, bread, meat, and fuel were distributed weekly in the neighbouring towns and villages. If the price of provisions was unusually high, the ladies set to work to relieve the sufferings of their poorer neighbours, by purchasing corn wholesale; then sending it to the market to be sold retail, at a very low rate, and in such small quantities as might not exceed the poor man's ability to purchase. Those political economists who would fain lay an interdict on almsgiving in every form, as inflicting a stigma on the recipient, and laying the seeds of pauperism—a doctrine true to a certain extent, but which, if carried to its extreme limit, would break every tie that binds one class to another—may perhaps blame this indefatigable and quiet course of benevolence; but are we quite certain that our system of public and parochial relief, our vast establishments and magnificent institutions—valuable as they undoubtedly are—exercise as beneficial an influence on the giver and on the receiver as when the deed of mercy and charity is the

direct act of a single individual, impelled by no motive save love of God and love of man? Be that as it may, women, if they did not then enjoy the higher and more independent position they have since attained, were, in certain respects, more favourably placed. There was less discrepancy between their natural vocation and their social position. If, on the one hand, they were still held in a kind of tutelage, and denied certain rights and privileges they have now acquired, yet, on the other, they were the objects of far greater care, courtesy, and solicitude than in the present day. The support and protection extended to them were real and efficacious. They were not left to struggle on, as now, alone and unaided, and too often to fall and perish on the way, ere the goal is won. Whenever his means permitted, the head of the family held it his bounden duty to assemble his poor unmarried female relatives, even the most distant, beneath his own roof. He would have felt himself dishonoured if one of those who bore his name had been forced to eat the bread of strangers. His relations, on their part, accepted his generous hospitality in the same spirit in which it was offered, without false shame or humiliation; and testified their gratitude by assisting in the household duties, educating the children, and cheering the domestic circle. All this is a thing of the past; but while rendering due homage to the spirit of active independence, the pre-eminent virtue of our own times, we may be allowed to cast one glance of regret to those more primitive days, when the members of one family were grouped together around the same hearth, united by a feeling of protecting tenderness on the one hand, and grateful affection on the other.

But the picture had its dark side. The first effects of the Calvinistic reaction against the dominant Church



were, as we have already observed, by no means favourable to women. The new religion rejected saints and angels, but believed as implicitly as the old one in the devil and his works—in sorcery and witchcraft; and as the extraordinary power exercised by certain of the weaker sex over the minds of those with whom they came in contact could no longer be attributed to the intervention of the *heavenly* powers, it was, of course, ascribed to the infernal ones. Nor was it the women of the lower classes only who fell victims to this deplorable superstition. Those of the higher were by no means exempted from a similar fate.

“All the women sentenced by the Inquisition,” says Mrs. Jameson, “did not equal in number the unhappy beings condemned judicially, hanged, tortured, burnt, and drowned during the first century of the reformed Church.”

The severities of the English penal code, so long the most cruel in Europe, seem to have been specially directed against the weaker sex, particularly towards the close of the seventeenth century, when the last sparks of the tenderness and respect enjoined towards women by Catholicism and chivalry had died away. The lashes, distributed so liberally to both sexes (for, since Judge Jeffries, the punishment of flogging had come into fashion in England) were applied with peculiar gusto to women. Not only were the wretched creatures condemned to prison as thieves or prostitutes publicly whipped every Monday morning at Tyburn or elsewhere, but the young nobles of the court of Charles II. gave each other rendezvous to enjoy this disgusting spectacle. It must be added, however, that these degrading scenes occurred only when the Restoration, by suddenly shaking off the severe austerity of Puritanical manners, had produced a reaction fatal to the national dignity and virtue. To

exaggerated rigorism had succeeded boundless licence. Nothing could arrest this torrent of débauchery and corruption, and the degradation of women was the natural and inevitable result. "Our fair ladies now-a-days," says Evelyn, "are at once vulgar and profligate; everywhere we see wisdom, virtue, and religion laughed to scorn. In the eyes of the present generation reason is a vain and impertinent thing; innocence is a want of wit and a weakness of judgment."

It was in the mouths of women that Congreve, Wicherly, and the other comic poets of the day, placed the grossest and most disgusting of their dialogues; while mothers, wives, and young girls sat by and listened without a blush. Nay, the only woman who had as yet attained some eminence in romance or drama, Aphra Behn—a woman, nevertheless, of noble heart and superior intellect—exceeded the most libertine authors of that epoch in licentiousness and immorality. The tradition of that austere morality which was once the glory of the English name, seems to have disappeared, save in some country retreat, far from the vortex of the Court, where it lingered in a few ancient families still more illustrious by their *virtues* than by their birth. Society, indeed, was divided into two camps, completely distinct from each other, between which very little communication existed.

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vacant hours wasted previously in gambling or dissipation. Unfortunately, the education of the female sex continued to be greatly neglected. Lady Wortley Montague, and two or three other celebrated women, shone forth, indeed, like stars in a dark night; but the greater part of their female contemporaries, though more moral than their grandmothers, were nearly as illiterate, and the fair and learned ladies of the reign of Elizabeth would have blushed at their ignorance. Here and there a female author may be discovered; but this is of rare occurrence. The exaggerated, but ever honourable, feeling which induced the ladies of the seventeenth century to shun celebrity as less flattering to their self-love than wounding to their modesty, had become a thing of the past.\* The women of England, at the commencement of the eighteenth century, were passionately fond of admiration; and if they do not rank among the authors of their day, it is only because they had not the requisite talent or energy. While in France, Madame de Scuderi, Madame de la Fayette, and Madame de Tencin were rendering real services to the cause of morality and progress, by purifying romance and introducing that delicacy of analysis and insight into human nature, which seem peculiarly feminine gifts, England had scarcely produced a single woman who had left her mark on the world of letters.

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The pure and moral lives of George III. and Queen Charlotte were not lost on the aristocracy and the class immediately below them. The progress of civilisation, likewise, could not but act favourably on the mental and moral condition of one-half of the human race. The improvement was gradual and slow, so much so, indeed, as almost to escape observation; but in due time it showed itself by its results. On every side arose women of large minds and superior intellects—female authors who did honour to their sex; and as the greater part of their writings were devoted to the instruction or amusement of youth, they exercised a salutary and lasting influence on the rising generation. Hitherto, with the exception of those fairy tales which from time immemorial had been the delight of children in every land, there was no literature expressly for the juvenile part of the population. It is to Mrs. Barbauld that its introduction is due; and amid the volumes, of all sorts and sizes, destined for the children of Great Britain, “Little Charles's Early Lessons” and “Evenings at Home” hold a conspicuous place.

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success in this department of letters, without the lofty, imaginative powers, the severe study, the deep thought, the variety and accuracy of knowledge demanded in so many others. At the present moment, with the exception of Sir Bulwer Lytton, Thackeray, Dickens, Kingsley, Trollope, and a few others, the most gifted and popular novel-writers in England are of the female sex. It is certain too that in Great Britain women have exercised an important and salutary influence on the tone of fiction, and may claim the honour of having purified it from the grossness which disfigured it in a preceding age. Nor this alone. They have succeeded in drawing their own sex in colours at once more favourable and more true to nature than those delineated by male authors, by creating altogether a higher type of female excellence. Even Goldsmith's *Sophia* is only a gentle, loving, amiable creature, distinguished by no superior gifts of mind or soul. Till the time of Sir Walter Scott, indeed, the heroine had always occupied a secondary rank in romance. Female authors, on the contrary, placed her in the first. In endowing these fair creations of their fancy with an elevation of character, a superiority of intellect which the other sex had perhaps purposely denied them, the lady writers not only raised the ideal but the real level of women, for novels have a double aspect: they serve at once as the model and the reflection of the age. Nor must it be forgotten that English female writers, with rare exceptions, have ever preserved intact the chastity and virtue which form at once the charm and strength of their sex, and have thus triumphantly refuted the assertion that with women intellectual superiority can be purchased only at the expense of that which ought to be held of far higher value—moral purity.

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The close of the eighteenth and the commencement of the nineteenth century gave birth to many women of a higher order of intellect, who may claim a lofty and durable position in the world of letters. Miss Burney, afterwards Madame d'Arblay, was one of the first in point of time, if not of merit. Despite the talent displayed in some of her works, the popularity they achieved cannot but astonish us, for since her day the romance or novel, the last-born scion of the literary stock, which at times seems destined to absorb all the rest, has made gigantic strides in England. It is not the less true that when Miss Burney wrote "*Evelina*," Dr. Johnson, the Aristarch of his age, declared it a work of genius, and the illustrious Burke sat up a whole night to read her "*Cecilia*." Then came other women, among whom Joanna Baillie and Mrs. Hemans (true poets, each in her own particular style), Miss Austen, Mrs. Inchbald, and Miss Edgeworth claim special mention. Of the twenty celebrated novel-writers, who charmed the public from 1779 to 1815, fourteen belonged to the female sex; and the pre-eminence women then acquired in this peculiar branch of literature they still retain. Romance-writing, indeed, appears that best fitted for the genius of women, particularly of the women of England. In the drama they have never achieved any enduring fame. In poetry they are far from having reached the sublime conceptions of a Milton; the power, passion, and pathos of a Byron; or the perfection of a Campbell or a Goldsmith. But romance opened to them an arena well fitted for the display of their native talents. The gifts of heart and intellect inherent to their sex, and thus easily capable of being brought to perfection—keenness of observation, delicacy of analysis, graceful fancy, purity, tenderness, and elevation of thought and feeling—are almost sufficient to ensure

success in this department of letters, without the lofty, imaginative powers, the severe study, the deep thought, the variety and accuracy of knowledge demanded in so many others. At the present moment, with the exception of Sir Bulwer Lytton, Thackeray, Dickens, Kingsley, Trollope, and a few others, the most gifted and popular novel-writers in England are of the female sex. It is certain too that in Great Britain women have exercised an important and salutary influence on the tone of fiction, and may claim the honour of having purified it from the grossness which disfigured it in a preceding age. Nor this alone. They have succeeded in drawing their own sex in colours at once more favourable and more true to nature than those delineated by male authors, by creating altogether a higher type of female excellence. Even Goldsmith's *Sophia* is only a gentle, loving, amiable creature, distinguished by no superior gifts of mind or soul. Till the time of Sir Walter Scott, indeed, the heroine had always occupied a secondary rank in romance. Female authors, on the contrary, placed her in the first. In endowing these fair creations of their fancy with an elevation of character, a superiority of intellect which the other sex had perhaps purposely denied them, the lady writers not only raised the ideal but the real level of women, for novels have a double aspect: they serve at once as the model and the reflection of the age. Nor must it be forgotten that English female writers, with rare exceptions, have ever preserved intact the chastity and virtue which form at once the charm and strength of their sex, and have thus triumphantly refuted the assertion that with women intellectual superiority can be purchased only at the expense of that which ought to be held of far higher value—moral purity.

For a while the women of England, so far at least as was known, were perfectly satisfied with the position they had achieved. They had shown of what woman is capable when circumstances favour the development of her powers, and, as was but fair, the whole sex profited by the successful efforts of the gifted few among them. As to seeking a more important and more prominent part in social life and labours, the idea had never occurred to them. The greater portion desired nothing, save a larger share in the advantages of general education. They who enjoyed the blessings of domestic happiness could not comprehend how a woman could demand any other sphere than that of wife and mother. Those who were dissatisfied were seldom in a position to make themselves heard. The world was too busy to attend to them, and it may be hoped they were in the minority. Besides, that thirst for action, that impatience of an aimless life, even if it be a comfortable one, that longing for work for its own sake, and, it must be added, that desire for notoriety, which are the peculiar features of the present age, had not yet manifested themselves in England—perhaps they scarcely existed. Machinery, free trade, competition of labour, emigration—all these new and mighty agents which throw so many thousands of women on their own resources for support, were then only in their infancy. Still, then as now, there was a vast substratum of suffering and misery, not the less melancholy because it attracted little attention. The condition of the women of the lower orders was perhaps even more deplorable than it is at the present day, for the generous interest now excited in their fate then existed in a very small degree. Few cared for them; few inquired how they earned their daily bread; few paused to consider the dangers and difficulties that beset their path, and the

rocks on which they were so often shipwrecked. It was taken for granted that they married in due time, and their husbands provided for their wants. People knew that there were criminals of the female sex—thieves, prostitutes, wretches whose very breath was deemed pollution—but society turned away, and passed on the other side. It left to the laws the care of punishing the offender, and never troubled itself to inquire the real cause of her fall. From time to time, indeed, some more philanthropic and far-sighted individual called the attention of the public or the Legislature to this all-important subject, but other matters of more general and more pressing interest soon threw this into the shade.

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## PART II.

BUT the more the intellect of woman developed itself, the more did she feel the weight of the fetters imposed on her by law and custom. New wants and new wishes arose within her soul. She awoke, as from a long slumber, to a consciousness of the privileges denied and the injustice inflicted. The violence of the reaction was proportionate to the length of the torpor which had preceded it. An angry sense of wrong took the place of the former gentle submission. Wild and chimerical systems were propounded by Mary Woolstencraft and others, who, following the example of their French predecessors of 1769, demanded "the rights of women," as they called them. The most exaggerated pretensions of the English lady innovators in the present day are but a faint reflection of those put forth by the female emancipators of the eighteenth century. They exclaimed with one voice

against what they denominated the "tyrannical yoke," which confined the faculties of woman to "base domestic drudgery." They claimed for her admission to the Bench, the Legislature, and even the Church. They denounced the indissolubility of the marriage tie as absurd and cruel ; and, not content with demanding the right of divorce as a last resource when every other had failed, they insisted that mere incompatibility of temper, or any of the trifling causes which will occasionally cloud the sunshine of married life, should be considered as a sufficient motive for obtaining it. However much they might differ in other respects, there was *one* in which they all agreed—in proclaiming the equality of the two sexes. Some demanded for women that *tolerance* which custom, rightly or wrongly, has extended to men ; others, on the contrary, insisted that men should henceforth be subjected to those laws of chastity imposed by the voice of nature no less than the usages of society on women. But in thus exceeding the bounds of reason and good sense, these ultra-reformers injured their own cause. Men of the educated and higher class—and at that period none but such men took any interest in social questions—were indignant at accusations which touched their feelings to the quick, and doctrines which to them seemed little less than subversive. They were at once pained and angry at hearing themselves denounced as the tyrants and oppressors of the very wives and daughters whose happiness was, to the utmost of their ability, the object of their constant care and solicitude, though it is possible they did not always choose the best means of securing it. The practical good sense which is the peculiar characteristic of the English people soon reduced these exaggerated doctrines to their proper level.

But the chorus of complaints which had burst forth



on the subject had evidently sufficient foundation in fact to excite the serious attention of the more enlightened and dispassionate part of the community. It was evident there must be something wrong in English law or custom, or both, to create such dissatisfaction in the minds of the most cultivated of the female sex. In fact, during the last fifty years, a gradual transformation had taken place in English society. The progress of civilisation had shaken to their bases the time-honoured prejudices which, if they enslaved woman on the one hand, protected her on the other; but that progress, great as it was, had failed to open any new path for her exertions, or even to create the necessary balance between her pretensions and her powers. This, like all undefined positions, was equally unsatisfactory to both parties; giving rise to doubt and mistrust in the one, to hesitation and anxiety in the other. In many respects, the social condition of woman had decidedly altered for the better; in others, on the contrary, it had changed for the worse. The rapid increase in the population—the fierce competition in every branch of trade and industry—the compulsory relinquishment of those manufactures once carried on under the artisan's own roof, and now destroyed by the scientific inventions of modern times—the enormous numerical disparity between the sexes, which diminished the number of marriages, or prevented them being contracted till a more advanced period of life; all these causes combined to throw women more and more on their own resources, while the habits of expense and luxury pervading all classes of society prevented the head of the family from offering a home to his poorer female relatives as of yore.

Besides, the other sex had monopolised, to a considerable extent, many occupations which formerly belonged to women. The female hair-dresser and perfumer of our

ancestors had disappeared. As to the world of industry, the application of steam threatened to destroy manual labour altogether. The hand-loom and spindle had almost vanished. In many localities the manufactures absorbed the whole feminine population ; mothers, young girls, and children—all were drawn into the vortex of industrial life.

The disastrous results of this system, established in England at the beginning of the nineteenth century, became daily more and more apparent. The factories remained pretty much as we have described them—hot-beds of vice and infection ; and it was always women on whom devolved the most degrading and unwholesome, though not the most arduous, part of the process : in the cotton factory, the picking ; and in the silk manufactory, the opening the cocoons and winding the silk. In the first, the dust and down which enter the lungs produced numerous cases of that peculiar species of pulmonary consumption, known by the name of “cotton phthisis,” which even now yearly carries off hundreds of victims. In the second, the emanations issuing from the putrified chrysalis occasioned fevers, vomitings of blood, and other fatal maladies.

But, frightful as were the physical evils resulting from this state of things, the moral evils were more frightful still. Far from concerning themselves with the condition of those in their employ, the master manufacturers, whenever it was possible, preferred engaging women of the *town*, because these unhappy creatures being satisfied with a minimum of wages, they were thus enabled to lower the remuneration of the other women. The inquiry instituted by order of Parliament in 1844, stated that the greater part of the female population employed in factories (300,000 in number) were in a frightful state

of vice and degradation. How, indeed, could it be otherwise? How could the poor child—taken from the mother's side at six years old to enter a factory, where she continued to work twelve or fourteen hours per day, till driven forth by age or infirmity, in continual contact with brutal men and depraved women—acquire even the rudiments of the domestic virtues? And when she herself became a wife and mother, how could she fulfil the sacred duties of her position, even if the instincts of her heart supplied the place of the maternal care and instruction she had never known? She was forced to quit her humble roof at six in the morning, to return to it only at eight in the evening, exhausted and utterly incapable of performing any household duties, even had she known how to perform them. "The women of our manufacturing towns," said the commission of 1844, "are in a condition positively startling." As to the young girls, they certainly wear the costume of their sex, but that is all, for they are governed by the most ferocious passions of the other. They are the ringleaders of every riot and disturbance, and, thoroughly demoralised themselves, they demoralise every one who approaches them. They are held in check neither by fear of God or fear of man.

In consequence of this inquiry, which called public attention to the subject, and the untiring exertions of Lord Shaftesbury, whose name should ever be remembered with gratitude by the working classes of Great Britain, the moral and sanitary condition of most of the English factories have been gradually and greatly ameliorated: but fifteen years ago this dark picture was very far from being too highly coloured. Out of a hundred women employed in the factories, there was scarcely one who knew how to hold a needle; of course the whole family were in rags. The husband—who, on his return from a

long day's work, found his wife so worn out with fatigue that she could scarcely raise her head, or possibly under the influence of liquor;\* a hearth without a fire, children in tatters, dirty and undisciplined—soon left this scene of wretchedness for the public-house, where he sought and found light, warmth, and forgetfulness; and returned home, generally intoxicated, to ill-use his miserable help-mate. The children, sickly and neglected, were either sent to the factory as soon as they could stand, or left to wander in the streets and gutters, or possibly locked up at home; while a dose of opium was administered to the baby in the cradle to lull him to sleep during his mother's absence, for infant nurseries were scarcely known in the United Kingdom. Hence arose a fearful mortality, a frightful deterioration in the rising generation of the "factory hands;" while, at the same time, drunkenness and crime increased among both sexes with fearful rapidity.

And what remedy was to be found for these gigantic evils? The low rate of wages—low, at least, in proportion to the excessive dearness of provisions—the fatal improvidence of the working classes, and their still more fatal addiction to habits of intoxication, rendered the husband's labours insufficient to provide for the wants of the family. No Legislature could refuse women the right to labour; no law could bring back those home manufactures which in former days had procured them the means of subsistence. There was but one resource—to regulate her work, so as to combat to a certain degree the evils entailed by that very work. Parliament felt it was

\* In England a drunken woman is, or was, a spectacle of daily occurrence. (See the "Parliamentary Inquiry," 1835 or 1836.) In France, happily, with the exception of one or two manufacturing towns, drunkenness is a vice unknown among the female sex.

at once a duty and a necessity to interfere in favour of the weak and the oppressed ; and, despite the opposition of certain individuals who invoked the liberty of labour, a Bill was passed, limiting the employment of women in factories to *twelve* hours a day. In 1851 the hours were reduced in particular trades to *ten*.<sup>\*</sup> Some charitable ladies took advantage of this legislative enactment to establish evening schools, where the women might learn reading, sewing, and writing. The master manufacturers opposed these schools, though from what motive is not very clear ; but their opposition was fruitless ; and the generous benefactresses of their sex succeeded in carrying out their benevolent plan. Among the "factory homes," as they are called, thus established, two deserve especial mention—one in Essex, in the largest crape manufactory in England, under the direction of Miss Merryweather ;† the other in the neighbourhood of a cotton manufactory at Bristol, founded by Miss Stevens. Both are intended to receive young girls who, rendered independent by their labour at the age when they most need a mother's watchful care, quit the parental roof, and set up for themselves in lodgings, where, for the most part, they soon yield to the seductions of vice.

Miss Stevens hired a little house and garden, not far from the factory in question ; she installed a matron, and offered these poor girls, on very low terms, every possible comfort and convenience ; clean little rooms, simple but wholesome and sufficient diet, and a well-chosen library.

<sup>\*</sup> The Act of 1844 applied only to the manufactories of weaving, cord-making, and one or two others—that of 1851, to calico-printing ; the Acts of 1860 and 1861, however, have extended these regulations to dyeing and bleaching manufactures, lace-making, and a considerable number of others.

† Monsieur Courtauld.

Hitherto this attempt, though not free from difficulties and disappointments, from the undisciplined character and habits of the individuals it sought to benefit, has been attended with considerable success ; and the example has been followed in other localities with similar results.\* The solicitude which watched over the young and unprotected factory girl, soon extended itself to the still more helpless child. Asylums, infant schools,† and infant nurseries sprung up on every side. Unluckily, the latter have never had much success in England, in consequence, perhaps, of the want of those Sisters of Charity, who perform a mother's part to the poor little beings whom their own mothers are compelled to abandon. Their place was indeed supplied by hired nurses, but the expense of their wages soon absorbed all the pecuniary resources of the society. At the period of my visit to England, in 1855, I found only two or three infant nurseries in the whole kingdom, and none of them received more than ten or twelve children.

But miserable as was the condition of the factory women, it was still better than that of another class, who had hitherto attracted but little public attention. By a strange and deplorable fatality, it seemed destined that the great elements of national wealth in England should be to women sources of suffering and degradation. Owing to the prodigious increase of mining operations in Great Britain, women were employed in the coal

\* These factory homes continued successful to a certain degree till 1861, when, in consequence of the cotton famine, both were closed, nor have they since been re-opened.—1865.

† Although these schools have greatly increased, they are yet insufficient for the population. In England, above 2,000,000 children receive no instruction whatever; of this number the girls form above a third.

mines, and the lowest and worst remunerated labour fell to their share. Harnessed to a cart laden with coal, to which she was fastened by a chain, attached to a girdle round the waist, with no garment save a pair of drawers, among men whose brutality had become a bye-word, and many of whom were completely divested of clothing, these wretched creatures gradually became so thoroughly unsexed that they had nothing left of woman but the form.\*

At length, in 1852, by the strenuous exertions of Lord Shaftesbury, a Bill was passed which put an end to this unnatural state of things, by permitting females henceforth to work at the pit mouth only, and limiting their day's work to ten hours. Although the immediate result of this enactment was greatly to diminish the humble resources of many families, and even to bring destitution in some, especially where a woman, left a widow with young children to support, had relied for maintenance on the mines, the ulterior and lasting results were most favourable. To a temporary evil succeeded an enduring benefit. The highest wages can never compensate for the moral and physical degradation of any human being, least of all of woman; to corrupt her is to poison the waters of life at their very source. Never was this truth more clearly demonstrated than in the present case. Those women who still remained attached to the mines, being now restored to ordinary existence, and able to devote a few hours a day to their domestic duties, gradually recovered the habits and manners of their sex; and those who were altogether withdrawn, found other occupations, while their place was supplied by operatives out of work. Thanks to some devoted philanthropists, and to the anxious care of the resident clergy, the moral

\* See Report to the Committee of the House of Commons, 1844.

condition of the mining population, though still far from satisfactory, gradually improved, and continues to improve daily.\*

Meanwhile, individual effort, always so potent in England, continued to stimulate the Legislature, ever notorious for the slowness of its movements; for in Great Britain, as is well known, the Government does not *lead*, it follows, the will of the nation. Primary and infant schools sprang up on every side; but the salaries of the schoolmistresses were so low, that few women really fit for the task could be induced to undertake it. The teachers of that sex, as a class, were very inferior to the male, and the education of the rising female generation suffered in consequence. This fact was at last recognised, and the salaries were raised; though they are still far lower than they ought to be.†

For some years the English philanthropists, seeing vice and misery yield to a certain extent before these generous efforts, fancied they had discovered the panacea for all the evils under which women were specially suffering; but this bright delusion was not destined to last very long. In 1843 the trial of a poor sempstress for the theft of a shirt which had been *given her to make*, revealed the frightful destitution of a numerous class, and struck home to every heart. A true poet, Thomas

\* The admirable conduct of the unfortunate sufferers during the Hartley Colliery accident in 1862 was a striking proof of this amendment.—*Note of Translator.*

† According to the statistics of 1848, for 46,000 men who could neither read nor write, there were 60,000 women. The maximum of salary for a schoolmaster in England is £30, with lodging; of a schoolmistress, £20. Yet, small as is this remuneration, it is still superior to that received by a similar class in France. According to the last reports published, the salaries of the schoolmistresses do not amount to more than £16.



Hood, became the interpreter of the universal feeling, and his "Song of the Shirt" re-echoed through the length and breadth of the land. People shuddered to learn that the needlewoman, the *shirtmaker* in particular, did not earn more than 8d., or sometimes even 6d., per day, for twelve or fourteen hours' unremitting toil. The employment of *middlemen*, the extent of competition, the prevailing mania for cheapness, and the amount of unskilled labour in the market, necessarily led to this result. The slop-seller, forced to sell at the lowest possible rate, grinds down the unfortunate sempstress to the very utmost, paying her 3½d. or 4d. per shirt, out of which she must find her own needles and thread. Of 219,350 women dependent for their livelihood on needlework, in 1844, a large proportion earned only 6d. or 7d. per day. Then, too, we must remember how much has to be deducted from these miserable earnings for illness and slack times. True, a first-rate needlewoman can always find work, at a tolerably high rate of remuneration—1s. 6d. to 2s. per day, besides food—in private families, and as much or rather more for piece work; but these are, of course, in the minority.

The unexpected revelation of so much wretchedness aroused universal sympathy. Subscriptions poured in. The misery was for an instant mitigated, but this was all; the evil was not eradicated, how could it be? The middleman system was severely stigmatised. Yet this system exists, and will probably continue to exist, for it is the inevitable result of the extreme poverty of the needlewoman, and can disappear only with the causes that produce it.

We know how frequently the poor sempstress, yielding to the temptations of misery, pawns the articles confided to her care. Not one in a hundred has credit enough

to obtain work on her own responsibility, either from private individuals or tradesmen. Hence the necessity of a *middleman*, from whom the shopkeeper may demand a guarantee; and, as he runs all risks and perils, he naturally seeks to indemnify himself by lowering the price of labour as much as possible. Now as this monopoly is often in the hands of small capitalists, who themselves are always in difficulties, it follows as a matter of course that they grind down the unfortunate creatures in their employ. Nor can it be denied that among the wealthier tradesmen are many not ashamed to follow their example. There are first-rate firms, the owners of which, *ten times millionaires*, do not pay above 10s. for making a coat or a cloak, which they sell for £5 or £6.

The needlewomen are not the only sufferers from the greediness of the middleman or slop-seller, and the prevailing mania for cheapness; the lowest class of working tailors and shoemakers are equally victims;\* but we must never forget that misery opens an abyss beneath the feet of a woman into which a man can never sink, and that when once fallen it is too often to rise no more.

The receipts of a needlewoman earning 1s. 6d. per day (and how many thousands never earn half that sum!) amount only to £23 per annum, reckoning six days to the week, for in England no one works on Sunday. The necessities of life—lodging, food, bread, meat, &c.—are somewhat cheaper in London than at Paris; yet it is clear that, even with the strictest economy, it is no easy matter to *live* on so small a sum. What then becomes of the unhappy shirtmaker, who only gains 7d. or 8d. per day? She has no resource

\* The skilled workmen, on the contrary, obtain from £3 to £4 a week wages.

left, save to die of hunger or to go upon the streets. London offers fewer temptations to the ignorant and inexperienced in sin than Paris; there are fewer of those summer and winter balls, opened gratuitously to females of a certain class, where vice and debauchery are concealed beneath a veil of flowers. But in London, as elsewhere, there are temptations of every description for the young girl of the lower orders; and if she *does* go astray, her redemption from sin is all the more difficult, from the very fact that she *can* measure the depths into which she has sunk: for it is rarely indeed that some sense of shame does not linger in the heart of even the lowest of these miserable beings, though too often urging her to despair rather than repentance. Thus the wretched girl who has yielded to temptation, conscious that she is an object of contempt and abhorrence to the virtuous of her sex, seeks forgetfulness in the gin-shop, and falls lower and lower, till every hope of redemption is lost. Nowhere, indeed, is prostitution so hideous as in the British metropolis; nowhere does woman sink to such a depth of ignominy, when she *does* sink; and nowhere is it so difficult to raise her, and restore her to the paths of virtue.

It is indeed asserted that, in every branch of industry to which the female sex is admitted, a good workwoman can command good wages, and would obtain still better were not the market glutted with unskilled labour.

The competition of prisoners, of married women, of widows, of young maids, and of old maids, who seek to eke out their scanty resources by working privately for shops and warehouses, lowers the wages of the regular needlewoman. This may be perfectly true; but what is to be done?

If prisons are to be self-supporting, as it is most

desirable they should be, the prisoners, women as well as men, *must* work. All that can be done is to keep them as much as possible to such labour as will not bring them in close competition with the honest, hardworking poor. Thus the employment of convicts to work for City firms should be prohibited by Government.\*

As to the other causes of complaint, if the results are really such as are affirmed, it is a great calamity, but a calamity which admits of no remedy. In whatever position a woman may be placed, she occasionally requires some employment not purely intellectual, which can occupy her hands without absorbing her thoughts. To seek to deprive her of the resource of needlework would be both unavailing and cruel.

One means of mitigating the sufferings of the needlewoman was indeed suggested, as offering some chances of success, by placing her in direct communication with the tradesman or private individual likely to give her employment, and thus delivering her from the extortions of the middleman.

In London we constantly hear complaints of the difficulty of finding really good needlewomen, while the poor creatures themselves are compelled to have recourse to the middleman; for they know where he lives, but they do not know that in the same street reside perhaps half-a-dozen ladies who would pay them three times as much for work not half so fatiguing.

The Institution for the Employment of Needlewomen, in connection with the Needlewoman's Home, founded in 1859, attains this desired end to a certain degree. While in the latter good accommodation and wholesome food are provided for a small weekly remuneration, the former

\* We are happy to say this prohibition now exists. The female prisoners at Millbank and Brixton work for Government only.

aids the struggles of thousands of poor women who, but for this timely assistance, would have no refuge except the workhouse. None but respectable and capable persons are admitted. Employers being guaranteed by the society against loss from bad workwomen, or the illicit disposal of the materials, the middleman is rendered unnecessary ; and it is confidently expected that a fair day's wage for a fair day's work may be secured. The society is still in its infancy ; but it promises to work well.

But much yet remained to be done. There was another class of women—less unfortunate, it is true, than the sempstress, but still deserving commiseration—which gradually attracted public attention. We speak of the teacher or governess. The schoolmaster is almost coeval with society itself ; but we seek in vain in antiquity for the prototype of the modern governess. Among the Greeks it was the female slave who taught her youthful mistress the arts and occupations peculiar to her sex ; and with the exception of the courtesan, whose mental culture, as we know, was the object of far greater care and attention, the education of the young girl went very little farther. The same observation applies to the Romans. In the Middle Ages, in England as elsewhere, women were educated in convents, the inmates of which alone at that period devoted themselves to the study of art or literature. The Reformation came, and monastic establishments were suppressed. The education of young girls of noble birth, to whom alone anything more than reading, writing, or sewing was deemed necessary, was entrusted to the other sex. Thus Queen Elizabeth and Lady Jane Grey had for tutor the learned Roger Ascham. Gradually, as classic lore ceased to form a portion of female studies, the tutor was supplied by a

governess ; but for a considerable time no families, save those of the highest rank, indulged in the luxury of a private instructress. In most cases the teacher was a poor relation, who brought up the daughters of the house in return for the hospitality afforded her by its head. It is only within the last fifty years, since marriage has become difficult for all and impossible for many, that governesses have existed as a separate class. This profession was naturally much sought after, for it is the only one which offers an honourable existence to young girls of gentle breeding who have not received any special training, and it is peculiarly suited to timid and modest natures, and to that yearning after a home which is natural to every female heart. But ere long this, like every other occupation open to women, became overcrowded, though, among the thousands of all classes who pressed into the ranks to earn their daily bread, there were comparatively few capable of fitly performing the difficult and delicate duties of instructress. Thus the supply far exceeded the demand ; and the number of destitute governesses bade fair ere long to rival that of destitute needlewomen.

This was one of the forms of misery which appealed most strongly to the heart of the English public. As usual, private benevolence was invoked, and, as usual, it was not invoked in vain. In 1843 the Governesses' Benevolent Institution was organised. A public meeting was held ; the highest personages in the land lent their aid ; subscriptions poured in on all sides ; a ladies' committee was appointed, to meet once a fortnight, for the purpose of privately and delicately affording aid to ladies in temporary distress ; and appalling was the misery, nay, the actual destitution, which met their ears—much of it unveiled for the first time ; for among

the applicants were not a few who shrank from exposing their wretchedness, though they hailed as a messenger from Providence itself the generous aid extended to them unasked. There were many, too, who, after devoting the greater part of their salaries to the support of their families, found themselves compelled, from ill-health and nervous excitement, to relinquish the profession of teacher altogether, and were thrown upon the world without any provision for their old age. The £500 contributed during the first year was invested, and a perpetual annuity of £15 created, for which thirty candidates presented themselves, most of whom were nearly penniless. In the course of the following seven years seventeen of these annuities were founded, the society meanwhile contributing nearly £1,000 a year in temporary assistance. Provident annuities were also formed, to be paid for by the recipients themselves, by the aid of sums advanced to them for that purpose. In 1856 no less than 274 had been secured. In 1844 a temporary home for governesses seeking a situation was established, where, for a comparatively small sum,\* they are comfortably lodged and boarded; and to this is added a system of free registration. Finally, in 1849, the society succeeded in building an asylum for the aged and infirm, and in 1856 twenty-two inmates were already beneath its sheltering roof.

This is an institution to which not even the sternest political economists can find any reasonable objection. So long as the governess is able to work, the assistance extended to her is in the form of a loan; and in those moments of pecuniary difficulty which will occur even to the most prudent and most industrious, the society helps those who seek to help themselves, and offers them the

\* 15s. per week.

bread of charity only when age and infirmities have deprived them of every other resource.

The first-rate governess has nothing to complain of; generally speaking, she gains from £80 to £150 per annum, without including lodging, food, or presents; as much as many a Government clerk in France, who has a wife and children to support. Thus, unless some unforeseen calamity intervene, she can, at all events, by life assurance or other means, secure the common comforts of life in her old age; but it is very different with the ordinary run of governesses, who, while fulfilling their duties to the best of their ability, have neither the talents nor acquirements which alone can entitle them to a high salary.\* These governesses do not gain more than from £16 to £30 per annum. What multiplies the number of teachers in England is the facility with which every woman can open a school without a diploma. For some time past, however, the advantage of such a test of real merit has been felt, and the Society of Arts has offered the means of procuring it. This society, which meets once a year either in London or in a provincial town, was founded in 1856, to supply, as far as possible, the want of a university education to the youth of the middle classes. It grants certificates of three grades—the programme comprises Latin, French, German, drawing, English history and literature, the histories of Greece and Rome, botany, chemistry, agriculture, and book-keeping. We

\* In the year 1865 the Governesses' Benevolent Institution has been unusually prosperous, in consequence of increased annual subscriptions and donations, and has been able to relieve a greater amount of distress, though even then the assistance has fallen short of the pressing need. The home continues to proceed very satisfactorily, and in the asylum ladies are still residing whose last days are cheered by the kindness of their excellent and devoted friends.



can see that the curriculum is tolerably extensive. In 1858 women were admitted to competitive examinations. At the first, but five presented themselves, and they went in for French and German only; in the present year (1859) there have been but six. The above statistics are not very encouraging; but these examinations, which, for the first time, afford the women of England an opportunity of measuring themselves with the other sex in the intellectual arena, are as yet of too recent date to allow of any definite conclusion one way or the other. At all events, it is certain that none of the evils so confidently foretold as the inevitable results have really ensued; but it is to be feared that, in the desire to place these studies within the reach of the female candidates, the standard may be lowered so as to defeat their legitimate aim.

Thus we see that the condition of women had become an object of general attention. It was at length perceived that it was impossible for them to struggle successfully against the competition of the other sex, who had monopolised the greater part of those professions which were formerly regarded as their exclusive right; and against the still more terrible rivalry of mechanism and steam, which drove them out of the very few yet left them. It was evident that some new means of earning their bread must be found for them—that the circle of their occupations must be in one way or other enlarged. Among the many plans for this end, designing patterns for manufactures, an art which can be adapted in so many varied and ingenious ways to the requisitions of trade and industry, was proposed as one of the most likely means of giving the weaker sex an equal chance with the stronger in gaining an honest livelihood.

This innovation met with considerable opposition. It was maintained that the profession of designer would never suit a woman; that no woman could possibly succeed in it, in consequence of that want of inventive power which it absolutely demands. Women, they said, are excellent imitators, but invention is quite out of their line. They inspire the artist, but they do not create art. But this argument was overruled. It was replied that none of those marvels of genius were demanded, the conception of which is the exclusive privilege of the few; that it was both absurd and illogical to maintain that a woman was incapable of drawing the pattern of a shawl or a bracelet, at the very moment when her works, as displayed both in picture-galleries and exhibitions, bore such convincing testimony to her talents and her skill; that if certain attempts had failed, it was owing not to a want of natural capacity, but to a deficiency in artistic education; that her introduction into the ranks of designers, far from injuring British industry as was feared, would confer a decided benefit upon it, by infusing that element of grace and elegance in which it was so lamentably deficient.

These reasons prevailed. In 1843, Government established a School of Design at Somerset House, in which were taught drawing, colouring, designing, and practical geometry. Some few years later two private schools, one of which was the Female School of Art in Queen's Square, were opened on a similar plan. The commencement was on a small scale, but the demands for admission were soon so numerous, that provision was made for the reception of a larger number of pupils; and the success of this generous experiment increased every day. To the instruction given in the Government schools were added painting on china, wood engraving, and litho-

graphy. These schools do not give their pupils the benefit of education alone; they furnish them with the means of deriving the utmost advantage from their acquirements and their labours, for they are permitted to dispose of the designs and paintings, and so highly are they esteemed that the manufacturers vie with each other in purchasing them. The success of both schools and pupils is a triumphant answer to the opponents of the scheme.

This example gave fresh courage to the friends of female culture in every rank of life. There was a growing dissatisfaction both with private instruction and with that of ladies' seminaries; the latter especially was generally confessed to be at once pedantic and superficial. The number of young girls needing a superior education was increasing every day. The idea was started of establishing schools of a superior order—something approaching to, though still very far removed from, the colleges of Oxford and Cambridge for the other sex. The first was established in Harley Street, under the title of Queen's College, and it has continued to be the most important, the Crown having granted it a charter of incorporation. It possesses several free scholarships—one founded by the Queen, the others by subscriptions. Professors of first-rate eminence have responded to the appeal made to them. They give series of lectures, many of them on subjects long regarded as beyond the pale of female intellect. Certificates are granted on special subjects—such as theology, mathematics, Greek, and Latin. Ere long, other colleges sprang up in different parts of the metropolis, or in the principal provincial towns—the Ladies' College in Bedford Square, the Clifton College, &c. In all, the studies are of a far higher order than those produced in ordinary boarding schools, and it

is evident that this new system cannot fail to exercise a favourable influence on the rising female generation. Still, like all human institutions, these colleges have their disadvantages. The terms being very low, many parents are induced to send their daughters to be trained as governesses, when it would be far better were they brought up to a trade or to domestic service; the market for governesses being, as we have seen, sadly overstocked. Besides, the pupils, generally speaking, remain too short a time to acquire a thorough education, or to fit them for the responsible duties they attempt to undertake. Thus, too often, they only serve to swell the ranks of governesses without situations, whose deplorable condition we have laid before our readers.

But the further women advanced in the path of progress, the clearer it became how much remained to be done. The prisons, the houses of correction, the asylums for the insane, the workhouses, were full of wretched and guilty women; and the number increased out of all proportion, even with the increase of the population. In 1856 the female criminals brought before the bar were only twenty per cent., and those convicted twelve per cent. But in 1857 there were twenty-two of the first and twenty-one of the second; while the "great sin of great cities," as it has been called by an English author, far from diminishing, assumed more gigantic proportions with every succeeding year. It was a woman well known in art and literature, the author of many works most highly esteemed in England, Mrs. Jameson, who had the courage to call public attention to this important and delicate subject. In two admirable essays, entitled "The Sisters of Charity" and "The Communion of Labour," she pointed out the faulty management of workhouses, in which hundreds of female paupers are doomed to spend

a large portion of their days, while the gates are closed to the visits of educated and benevolent persons of their own sex, who would gladly offer them sympathy and consolation. She painted in true and vivid colours the incapacity and drunkenness of English nurses, which Mr. Dickens had already held up to eternal ridicule in the persons of Mrs. Gamp and Mrs. Prig. She compared them with the Sisters of St. Vincent de Paul, with those angels of consolation who, supported by the love of God and love of man, watch by the bed-side of the sick and dying, without fear of contagion, without dread of death. She clearly demonstrated that the institution of religious female communities, beyond the cloister walls, did not emanate, as rigid Protestants persisted, from the Church of Rome. She reminded her readers that in the very earliest ages of Christianity there were women whose whole existence was devoted to the relief of human misery, in all its varied phases; that in England as early as 1558, long before the institution of the Sisters of St. Vincent de Paul, the order of the Deaconesses already existed, an order which unfortunately has gradually disappeared. Finally, she proposed the establishment of sisterhoods, the duties and rules of which, so far as was consistent with the difference of religious opinions, should be similar to those of the Sisters of Charity, whose ministry is found so potent for good wherever it exists.

With the exception of two or three Puseyite convents—the founder of which, Miss Sellon, had to struggle with obstacles and prejudices of every description—sisterhoods were utterly unknown in Protestant England. In their dread of Catholicism, and their dislike to everything that resembles it, the English refused to admit even the establishment of deaconesses, who in Germany and else-

where supply, in some degree, the place of the Sisters of Charity; the members performing their useful and difficult duties with almost equal efficiency, so far as their limited numbers permit. On the Continent, the hospitals, penitentiaries, female prisons, and female lunatic asylums had long since been confided to the devoted and intelligent care of the Beguines, the Sisters of St. Joseph, and St. Vincent de Paul, &c.; and as far back as the last century, the philanthropic Howard had set forth the admirable results of this system, and recommended it to the imitation of his countrymen. He was particularly struck with the spirit of self-sacrificing charity which animated the sisters, and with which their example seemed to inspire every other class of society.

Ladies of the highest rank pressed forward to offer their aid in the holy work. In England, on the contrary, women were excluded from all participation in the direction of charitable or penal establishments; even of those destined for the reception of their own sex. Nor can it be denied that hitherto they had submitted with a tolerably good grace to this exclusion. A sense of delicacy, at once exaggerated and ill understood, had made them recoil from all contact with the guilty and wretched of either sex, and more especially of their own. They dared not venture into the impure abodes of sin and suffering, even to bear the torch of hope and charity into their foul recesses. Of private benevolence, indeed, there was much, especially in country villages; but few, if any, women had ever attempted to penetrate into the prison cell, to administer warning or comfort to its wretched inmates.

There was no work, in short, in which women had as yet taken an active share as a class; none where they

were drawn together by one common impulse ; but a better time was at hand. If the female prisons of Great Britain, though still defective in many important respects, merit, on the whole, to be presented as models to the rest of Europe, it is to a woman that this is due. Mrs. Fry and her work, which inaugurated a new era in the system of prison discipline in England, are almost universally known ; yet that work occupies so important a place in the history of English women, that we must pause to contemplate it a moment, ere we continue our narrative.

It was in 1813. Forty years had passed since Howard had brought to light the horrors of English prisons, and scarcely one of the reforms he had so earnestly recommended had been adopted, or at least effectively carried out. Many Acts of Parliament had, indeed, been passed ; but they seem to have become a dead letter, for in the majority of prisons they were flagrantly violated. The women were often but imperfectly separated from the men ; and even where that separation existed, as in Newgate, the condition of the prisoners, especially the females, was in every respect objectionable. They were all huddled together pellmell, tried and untried ; those who had only as yet been brought before the bar, and those on whom sentence had been already pronounced, even when that sentence was death. The young girl, who entered the prison walls for the first time ; the murderess, hardened in guilt ; 300 wretched creatures, in short, with their numerous children, were crowded together in a space of 190 yards—without religious or moral instruction, without classification, without employment, indeed, except that of playing cards, fighting, blaspheming, or getting tipsy, when they had the money to buy gin, which money they procured by clamorous

begging whenever any stranger appeared among them. Even the gaolers themselves never ventured to enter this hell upon earth but two or three at a time, and armed to the teeth.

It was in the midst of these degraded beings that Mrs. Fry ventured, and ventured alone ; it was here that she began her apostolate of charity. Calm and unmoved, amid the vociferations of these miserable women, she spoke to them of the God they had forgotten ; of the sacred volume they had never known. Gradually the tumult subsided, the noise ceased, the women began to listen. Ere long the most ferocious felt themselves subdued and mastered, by a power to which they had hitherto been strangers—the power of sympathy and faith.

No less practical than benevolent, Mrs. Fry at once settled her plan of action. Without heeding the observations of the sheriffs or governor, who, while cordially acceding to her wishes, declared the experiment hopeless, she at once proceeded to lay down strict and precise rules ; and these undisciplined creatures not only submitted without a murmur, but aided her in carrying them out ; thus co-operating in her benevolent desire for their reformation. Inspiring her friends with her own spirit of Christian charity, she formed a committee, under the title of the Association for the Improvement of the Female Prisoners in Newgate. One of the members read the Holy Scriptures every day to the prisoners, for it was in the Word of God that Mrs. Fry placed her trust ; it was from that Divine source that she drew her strength and her energy. She established a school for the children who were crowded in the gaol with their wretched mothers, and obtained for this purpose the use of an empty cell. She prevailed on the prison authorities to



separate the tried from the untried prisoners, and to appoint a matron, who for some time was paid out of her own purse and that of her friends. She entered into a contract with a wholesale house, which supplied the convicts transported to Botany Bay with the necessary articles of clothing, to provide work for the prisoners; and introduced various other reforms, too many to enumerate. At the end of six months, at Mrs. Fry's request, the Lord Mayor, aldermen, and sheriffs visited Newgate. What a change! Peace, sobriety, and submission had taken the place of violence, debauchery, and blasphemy. That which the most terrible punishment had failed to effect, which the prison authorities had declared to be impracticable, had been accomplished in a few months by the influence of a single woman, strong in the strength inspired by faith in God, love of man, and the ardent desire to save the human soul from perdition.

But the active charity of Mrs. Fry did not stop here. She visited the vessels which were to convey the wretched convicts to their place of exile; she provided them with needlework, the proceeds of which, on their arrival at Botany Bay, would enable them to obtain a decent shelter, till they could procure some honest means of subsistence; and she addressed the unhappy convicts with solemn parting words of warning and admonition ere they left their native land—many never to return.

She likewise established a society of patronage, or Prisoners' Aid Society, to watch over the convicts after their liberation, and to aid them in getting an honest livelihood.

While Mrs. Fry was labouring in England for the reformation of the guilty, another woman, Mrs. Chisholm, was toiling for the same object at the Antipodes. She was the wife of an officer of the East India Company,

and had founded at Madras a refuge for the orphan daughters of soldiers, which has since become a royal orphan asylum. In 1838, Captain Chisholm's health requiring a change of climate, he obtained leave of absence, and repaired to Australia, with his wife and family. Forced after a while to return to his duty, he left the latter at Sydney, with the understanding that they were to rejoin him at a later period.

The population of Sydney, that colony now so rich and flourishing, was originally composed principally of convicts. Till the year 1840 the only prisons in England were correctional prisons. The character of penal discipline had, indeed, been considerably improved, but the idea of making the prison a place of reformation, or moral hospital, had, as yet, only occurred to a few philanthropists. The bulk of the convicts were sent to Australia. When they behaved well for a certain time, they obtained a ticket-of-leave, which granted them provisional liberty, so long as they remained within the prescribed limits, and committed no new offences. This is not the place to enter into the merits or demerits of transportation, especially as the question may now be considered as pretty well settled, by the refusal of all the colonies except Western Australia to receive convicts; but at the period to which we refer, above 5,000 male-factors were transported annually, and, relatively to the number of men, that of women was but small. Among these women were young and handsome girls, often condemned for comparatively slight offences. The result may be conceived, in a country in which there were ten men to one woman, and these men, many of them at least, the very refuse of humanity. Whenever a vessel with these unhappy creatures appeared off the coast, bands of convicts were waiting for them on their

landing, and, despite the police, who, by the bye, do not seem to have opposed much resistance, the most revolting scenes took place, as no shelter or asylum of any description existed for the reception of the women, who were forced for the most part literally to sleep in the streets. Filled with horror at this state of things, Mrs. Chisholm invoked the intervention of the Colonial Government; but in vain. At length the authorities—wearied, if not moved, by her solicitations—placed an old powder-magazine at her disposal, which afforded shelter to about a hundred women. But how were they to be fed and clothed? Mrs. Chisholm was the wife of a simple captain of infantry, and mother of three children; and her modest resources could not suffice for such a task. Mrs. C. was not discouraged. She prevailed on some respectable families, in the city and the vicinity, to take such girls as evinced sincere repentance and a desire to reform, and were fit for domestic duties, into their service. The others she herself taught cooking or sewing, sufficient to obtain them places, though of a rougher description. Ere a year had elapsed she had thus saved 800 women from inevitable perdition. This was a satisfactory beginning; but before long there were no more situations vacant for her *protégées*, either in Sydney or the immediate neighbourhood. But Mrs. C. had put her hand to the plough, and would not look back. She was a good horsewoman, and feared neither fatigue nor danger. Followed by her “children,” as she called them, she visited the more distant parts of the colony, then very thinly peopled. She was everywhere received with the greatest respect, even by the rude back-woodsman; and she rarely returned without having found for her “daughters” places or husbands.

These hasty unions might appear somewhat hazardous,

but, generally speaking, they turned out well. When two people find themselves left alone together, far from the world and its pleasures, the want of loving and being loved is felt far more keenly than in the midst of society, and time and habit do the rest.

The success obtained by Mrs. Chisholm at last roused the attention of the Colonial Government. Funds were voted for the erection of two asylums; one for convict women, the other for free emigrants, in which they could find shelter on their arrival, until situations could be procured for them. A few years later, Captain Chisholm retired from the service, and rejoined his wife, to aid her in her work of mercy, which she still continues with a devotion proof against every trial, and which will for ever associate her name with the new world at the Antipodes.\*

Much, meanwhile, remained to be done in another department of the country. The arrangements in the military hospitals were peculiarly defective, and the moment was at hand when these defects were to be brought to light.

It was in 1854. The Crimean war had just commenced. The mortality prevailing in the English army—the anarchy reigning in the hospitals—the inadequacy of the medical staff—the unpardonable negligence of many of the officials, filled all England with grief and indignation. The efforts of the civil and military authorities seemed powerless to check these evils, which threatened the destruction of the whole English army, and formed a humiliating contrast to the admirable organisation of the French hospitals, where the physicians

\* We are happy to learn that the Colonial Government has conferred on this excellent woman the gift of £3,000, as a token of its *sense of the services she has rendered.*

and Sisters of Charity vied with each other in zeal and devotion. It was at the very moment when the horrors of war and sickness were at their climax, that a woman, still young, of good family and superior intellect, offered her services in arresting the progress of the evil. Her well-known charity and skill in nursing the sick and suffering, the years she had spent at the establishment of Kaiserworth, among women devoted to that special work, were sufficient to ensure the acceptance of her generous proposal. On the 5th of November, 1854, Miss Nightingale, accompanied by thirty ladies and a certain number of paid nurses, set off for the camp at Scutari.

We need not dwell upon the good she accomplished there. The hospitals were put on quite another footing. During the first seven months of the campaign the mortality in the English army from disease alone amounted to thirty per cent. ; during the last five months it was two-thirds *less* than that of the troops on the home station. These reforms had been obtained by the efforts of a single woman, despite the prejudices of both the doctors and the military authorities, who, without opposing any of Miss Nightingale's plans, were at first but little inclined to second her ; though it is but justice to acknowledge that all opposition on their part ceased as soon as the admirable results of her system became apparent.

Miss Nightingale's efforts did not end with the miracles she performed in the military hospital of Scutari. On her return to England she visited those of the army and navy, and pointed out the defects and abuses which existed, more or less, in all. The services she had rendered gave authority to her suggestions. Her plans of reform were approved, and, under the auspices of the Hon. Sidney Herbert, Secretary of War, were adopted.

in all the English military hospitals. The sum which the nation voted as a testimonial of gratitude to its benefactress was applied by Miss Nightingale to the foundation of an institution, which, under wise superintendence, might become a training-school for nurses, worthy of the confidence alike of doctor and patient. An establishment of this description had existed ever since 1854 in St. John's Wood, called the Training Institution for Nurses; and several others, on a larger scale, have since been founded with complete success. It may appear singular that improvements so easy of execution should have been so long delayed; but we know how often we shut our eyes to the most obvious suggestions, and are blind to reforms which demand only the application of the simplest ideas.

While Miss Nightingale was ameliorating the organisation of the hospitals, two other women were carrying out reforms not less important in other departments. The report of the Inspector-General of Prisons had of late attracted public attention to the increase of juvenile offences. The number of convictions under the age of sixteen had been steadily increasing, till, in 1856, it had reached the incredible amount of 13,000!

It was proved by incontestable evidence that the contamination of gaols was often fatal to the children committed—to the girls especially; and that, to say the least, an indelible stigma was henceforth affixed to their characters through life.

In our article on the "Moralisation of the Dangerous Classes," we have given some details on this subject; and on the passing of the Reformatory School Bills, which was the result of the strong feeling excited throughout the land. Suffice it here to say, that, in 1856, reformatories for both sexes came into general action in England. Of these, one deserves especial notice; it is that of Red

Lodge, in Bristol, for girls from the age of six to eighteen, founded by one whose name is known and respected by all the friends of suffering humanity, Mary Carpenter.

A residence, formerly inhabited by a wealthy merchant of the time of Elizabeth, was placed at her disposal, at an almost nominal rent, by Lady Byron. A fixed grant, six shillings per week, is contributed by the State for each girl sent thither by the magistrates. There has been a large and steady diminution of juvenile crime since reformatory schools have been established throughout the kingdom; and the Red Lodge, though not faultless, is one of the very best of its class.

The object principally aimed at is to eradicate previous vicious habits, often so deeply rooted as to be most difficult of extirpation; to awaken a love of honest labour; and, above all, to teach the children to regret their past faults, and to desire to atone for them by strict honesty and integrity in the future. To a discipline at once firm and gentle, Miss Carpenter unites a training, simple, yet truly pious. She acts on the conviction that the only efficient means of bringing back the heart to virtue is to raise it towards God. The inmates learn cooking, washing, needlework,—whatever, in fact, will fit them for good domestic servants in small families. Reading, writing, and arithmetic are also taught. Nor does the solicitude which watches over these poor girls during their enforced residence in the reformatory, abandon them when they return to the world. The watchful care of their benefactress follows them through their after career; and her hand is ever stretched forth to aid and uphold them. Before leaving the reformatory a situation is procured for them, and, generally speaking, the demand is greater than the supply—so high does the establish-

ment stand in public estimation. Miss Carpenter never attempts to conceal their past lives from their employers ; but the admirable discipline to which they have been subjected, and the training they have received whilst at the Red Lodge, are generally considered sufficient guarantee for their future honesty and good behaviour ; and this hope is not often disappointed.

Mrs. Fry, in the prisons of Newgate—Mrs. Chisholm, on the shores of Australia—Miss Carpenter, in the reformatories of Bristol—Miss Nightingale, in the hospitals of Scutari—had proved what women were capable of effecting, when animated by the love of God, and the love of their fellow-creatures. They had shown, in addition, that to the self-sacrifice and charity which may be considered as virtues natural to their sex, they can unite that practical good sense and genius of organisation, in which they are so often regarded as deficient. But there were yet other unfortunate beings in England, beings disinherited by society, who required moral if not material aid, very nearly as much as the soldiers in the Crimea, or the emigrants of New South Wales—the old and infirm inmates of the union.

In our article on "Pauperism," we observed that what was most wanting in the English workhouse was the religious and feminine element, which is represented only by a single matron in a house of from two to eight hundred inmates, and by half-a-dozen nurses, chosen from among the aged female paupers. These nurses—idle, ignorant, and sometimes depraved, performing their wearisome duties with unconcealed disgust—often conduct themselves in the most cruel and tyrannical manner towards the unhappy creatures in their charge ; and the victims dare not complain, lest they should make them



implacable enemies.\* As to those words of love and faith, which flow like healing balm from the lips of the Sisters of Charity, breathing hope and consolation to the weary spirit, softening the anguish of the sick bed, and soothing even the last hour of the dying—how can they be expected from such women as these? Nor is that the only pernicious consequence of the workhouse system, whatever may be its advantages in certain respects, for too often the union is the nursery of corruption. “As soon as a young girl enters there,” says a contemporary author, “she is surrounded by women, many of whom are already lost. Who is to watch over her? The matron is too busy; the chaplain has duties of greater importance to perform. The only person who exercises any authority over her is the overseer, often a harsh, rough man. Used, perhaps, to a roving life, she refuses obedience. She is put into a dark cell, on bread and water. The punishment may be necessary to prevent further rebellion, but, unaccompanied as it is by moral and religious training, it seldom produces any good effect on the mind.’ When at length she leaves the workhouse, having learnt nothing there, save to detest every description of discipline or labour, and too weak or too idle to struggle against the temptations of vice and misery, she soon commits some offence which makes her an inmate of the prison. As she finds there more comfort, more indulgence, and, above all, more sympathy, than she ever found in the union, it will not be her fault if she does not re-enter it on the first opportunity. Once arrived at

\* Considerable improvements have been effected in this particular since this article was written; but so late as a few weeks ago, at a meeting of the Metropolitan Poor-Law Guardians, the absolute inefficiency of the nurses was acknowledged, and it was resolved to take steps to remedy the evil.—1866.

this stage, her fate is almost certain. She falls lower and lower, till at last she sinks into the abyss of vice and misery to rise no more."

It is generally allowed that pauper-schools, unless separated from the workhouse, are the worst establishments for training up youth, and more especially female youth.\* As has been truly observed, the whole atmosphere and tone of the place must be necessarily such as to stifle all development of thought, and all habits of honest independence. The orphan pauper girl is especially to be pitied. Sent out at the age of eleven or twelve to work at the mills, or to the very lowest places—for none but the lowest householders will take her—she is frequently subjected to treatment too harsh for endurance; and she takes to the streets as her only resource. There *are* workhouses, and workhouse schools, where the children, the girls especially, are watched over with the utmost care; there are kind and intelligent matrons who treat these poor children with almost maternal tenderness. This we can affirm from personal testimony, but, unhappily, the examples are as rare as they are admirable.†

It was into the workhouses, then, that some of those ladies who sought to benefit suffering humanity endeavoured to penetrate. To console the unhappy, to nurse the sick, to guide the young along the path of life, surely all this enters into the vocation of a true woman. But such was not the opinion of the Poor-Law guardians. For a considerable time they obstinately refused to open

\* Within the last few years the number of district schools has greatly increased. See article on "Pauperism," Appendix.—*Note by Translator.*

† In this respect also great improvements have been effected within the last few years.—*Note by Translator.*

the workhouse doors to these unaccustomed visitors ; but public opinion declared itself so decidedly against them, that they were reluctantly compelled to give way. In 1857 an association was founded, under the title of the Workhouse Visiting Society, with the express purpose of watching over the infirm, the women, and children. To avoid all useless contention, the members of the society promised not to introduce any innovation in the existing workhouse system without the consent of the guardians and chaplain ; to visit the inmates at those hours only considered expedient by these gentlemen ; and to abstain scrupulously from all interference with the constituted authorities. Despite the opposition of numerous parishes, the ladies obtained permission to visit their *protégés* two or three times a week ; to lend them books, to read the Bible to them, and to pray with them. The last journal published by this association—"The Workhouse Society Journal"—pleads the cause of suffering humanity with so much zeal and eloquence, the writers display such practical wisdom, and the tide of public opinion sets so strongly in this direction, that we do not despair of seeing the day when the ladies of England may be allowed to share with the Poor-Law guardians the direction of these establishments, where hundreds of their sex are doomed to languish—in youth, too often to learn lessons of sin from others already depraved ; in age, to linger and die, without the pressure of one friendly hand to alleviate their sufferings, without the consolations of religion to soothe them in their passage to another world.

While these female philanthropists were actually engaged in seeking to ameliorate the condition of their less fortunate sisters, the state of the laws with regard to married women attracted the attention of the Legisla-

ture and the public. These laws had not kept pace with the progress of civilisation ; in some respects they may be said to have actually retrograded, at least so far as the tenure and transmission of property was concerned. Among the Anglo-Saxons the childless widow inherited the whole fortune of her husband, on condition of not marrying a second time. If she had a family, *half* only fell to her share. In the reign of Charles I. the fortune of the husband was divided into three parts — one reverted by law to his wife, the second to his children, the third remained at his own disposal. If he died without issue, half his fortune belonged to his widow. Thus we see that the solemn declaration by which the English canon of marriage commences, "With all my worldly goods I thee endow," was not originally an empty formula. Gradually the law was modified to the disadvantage of the woman, but it is impossible to fix the precise epoch at which this change took place. At all events, in the fourteenth century, marriage under the common law, as it is called, implied in the case of the woman the absolute gift of whatever she possessed at the moment of her marriage, and whatever might revert to her at a later period, to her husband. "If the husband survives the wife," says Blackstone, "he has a right to all her personal property, and to the enjoyment of her landed property during life ; if she leaves an heir, he still enjoys it until the majority of that heir. He thus becomes, by the fact of marriage, sole proprietor of everything his wife possesses." No married woman can enter into any contract, or at least her receipt is no discharge, unless authorised by her husband. She cannot dispose of her fortune even by will, and, in case of separation (except under circumstances of a completely exceptional nature), the husband can retain the children. On the other hand, he is bound

to pay his wife's debts, even those she has contracted before marriage, and to maintain her *according to his means and position*; but who is there to watch over the execution of this law? That which happens so often in France occurs likewise in England, for irresponsible power has everywhere the same results. A young girl possessed of property, and married under the common law to a man who has none, may see herself despoiled of everything belonging to her without the power of resistance or appeal, and may be compelled to implore as a favour a few shillings for her personal expenses; nay, more: not only may the husband take absolute possession of the personal property of his wife, and dissipate in wild speculations or extravagant follies that which they share in common, but he may seize the products of her labour, may insist upon her salary—if she earns any—being paid to him alone, and may compel her to relinquish her labours if he thinks fit. In the higher classes, indeed, most parents or guardians insist on a settlement, and invest the property of the married woman in the names of trustees, so as to prevent its alienation; but even then, unless some peculiar arrangement is entered into, the husband receives the interest and administers the fortune alone and uncontrolled.

Assuredly, when marriage is what it ought to be—the union of two hearts animated by one single aim, that of devoting themselves to each other's happiness—such questions as these can never even be raised. The wife is only too glad, too proud to share the destiny, be it good or evil, of him to whom she has pledged her faith. Happy in suffering and sacrificing herself for him, she would reject with indignation the mere idea of any law which should forbid her binding her fate irrevocably to

his. She would have all in common, poverty and riches, sorrow and joy ; she will hear of no separate maintenance, no control over her own property ; she delights in her sense of dependence, for that dependence is on him she loves, and only seems to draw them closer together. Now, there is no country where marriages, on the whole, are happier than in England. There, custom permits women to mingle freely in society, and themselves to choose the partners of their life. The interval between the engagement and the nuptials is generally long enough to afford the lovers an opportunity of knowing each other thoroughly ; and this period, bright with dreams of the future, is not the least blissful of their existence. In short, these unions, contracted by mutual consent, are for the most part as happy as can be desired.

But, in a population of 24,000,000 of souls, it is impossible that there should not be bad men of every description—libertine, profligate, extravagant, coarse, and cruel—for human nature is, after all, much the same in all countries ; and among the lower classes in England the inveterate habit of drunkenness often leads to a degree of brutality on the part of the husband (not always unprovoked, it must be confessed) which has scarcely a parallel in any other land.

Unhappy marriages may be regarded as comparatively rare. But laws are made for the purpose of meeting exceptional cases ; and in England, as elsewhere, young girls are so little accustomed to the common business of life, and are so easily the dupes of their own romantic tenderness and their confidence in the good faith of the man they love, that legal precautions are absolutely requisite to protect them from the consequences of imprudent generosity.

In 1856, two ladies, devoted to the cause of humanity,

and more especially to that of their own sex, began to agitate this important question. They prepared two petitions, the object of which was to secure the earnings of married women for their own discretionary use. The Law Amendment Society, which devotes itself to the study of all questions of social interest, took up this, formed a commission to examine it thoroughly, and to procure all possible information as to the civil codes of other countries, in order to borrow from them any enactment which might appear suitable to the habits and manners of English society. The result was that a bill was presented in 1857 in the Upper House by Lord Brougham, and in the Lower by Sir Erskine Perry. The substance of this bill was as follows :—"That the woman married under the common law should henceforth be empowered to administer whatever property she possessed at the time of her marriage, whatever might accrue to her after marriage, and whatever she might gain by her own efforts, if carrying on some trade or profession, either independently or in conjunction with her husband. That she should have the right of bequeathing, under certain limitations ; while at the same time she preserved the power of giving everything she possessed to her husband, if she thought fit, either before or after their nuptials. On the other hand, she was to take her due share in the expenses of the household and the children, to pay all debts contracted before marriage, and all contracted after without the express consent of her husband." To these simple and sensible propositions was opposed the objection that a family must have a single head, and that this new arrangement would be certain to entail endless quarrels and confusion.

Undoubtedly, whatever tends to divide two beings whom God himself has united—to destroy that solidarity,

that mutual responsibility, which constitutes one of the surest and safest foundations of domestic happiness, should be at once rejected. Better far to leave unredressed a few isolated cases of undeserved suffering, than to run a risk for which no individual benefit could possibly compensate. But in granting the wife a just share in the management of these concerns which equally affect the happiness of both parties, by diminishing the omnipotence of the husband, neither the dignity of the head of the family nor the peace of the domestic hearth would be in the slightest degree endangered. On the contrary, it would be only introducing a new and valuable element in conjugal life. Experience demonstrates that the wife, when she gives her heart to the task, contributes quite as much as the husband to the prosperity of the family, by the care, the economy, the prudent watchfulness she exercises in these apparently trifling, but really important, details of daily life, on which that prosperity so greatly depends. It was likewise stated on good authority that in several parts of America, where reforms similar to those proposed by Lord Brougham had been introduced, the results were all that could be desired.

Perhaps the common law as it stands in the Code Napoleon, with equal rights of succession for both parties, would be the best that could be devised, if equal rights of administration were added ; but the present system, which gives the husband the power of managing and controlling not only the joint property but even the private fortune of the wife, is open to many abuses. Of that we have too frequent examples in France. The consequences are somewhat attenuated by the right possessed by every woman to demand a judicial separation of property, if the husband's extravagance imperils either her dowry or the interests of her children. But this legal resource, of



which women can rarely avail themselves, owing to their general ignorance of law and business, would find few partisans in England, where the inequality between the fortunes of the two sexes is greater than in France.

The proposal of Lord Brougham seemed based both on reason and experience, but the innovation was too great not to excite opposition. The bill failed in its immediate object ; but one important end was obtained, the clause in the ensuing Divorce Bill, which secured the deserted wife the possession of her own earnings for the future.

This clause, indeed, is not so efficacious as might be desired, since it fails to afford adequate protection to those women whose husbands, while not positively deserting the conjugal roof, leave their families in misery and destitution. But it serves to prevent the miscreant who has absolutely abandoned wife and children, and has been living with another woman, from sweeping off all that his unfortunate partner had earned by toil and industry during his absence, and spending it on the companion of his profligacy.

But the champions of married women did not content themselves with endeavouring to improve the law as regarded her *pecuniary* position ; they believed she had other causes of complaint—equally real, though still more difficult to deal with. The laws of Great Britain, harsh or even unjust as they may be towards married women in certain respects, are more equitable in others than the French code. These laws, it is true, inflict no penalty on the husband guilty of adultery ; but at least they do not condemn the wife, who has committed precisely the same sin, to a degrading punishment—a punishment fully deserved, we admit, but which cannot fail to shock us from the contrast it presents with the complete impunity

granted the no less criminal husband. Still in England, as elsewhere, the stronger sex is most favoured.

The outraged husband can claim a divorce : he can repudiate the woman who has dishonoured his name ; but the outraged wife is forced to remain with the man who has betrayed her, unless, indeed, he adds the most cruel treatment to infidelity, or openly installs a concubine beneath the conjugal roof. We do not hesitate to affirm that, in our judgment, the *false wife is even more culpable than the faithless husband*. Born with less ardent passions than those of the other sex, endowed by nature with that instinctive modesty which is the surest defence against seduction, taught from her earliest girlhood that purity should be dearer to her than life itself, and that the loss of it involves the loss of all that is precious in existence, and inflicts an indelible stain not only on her own honour but on that of her husband and children, chastity is less difficult to her than to man, and the consequences of her frailty are more fatal than his. "She alone," says an illustrious contemporary author, "can affirm the legitimacy of her offspring ; she alone keeps alive the sacred fire of the domestic hearth." It is, therefore, both right and natural that adultery should entail more terrible results on the woman than on the man.

But regarded under *another* light, as the violation of a sacred engagement, for instance, which in its very nature should be equally binding on both the contracting parties, is not adultery as criminal on the side of the husband as on that of the wife ? Does it not entail the ruin of domestic peace ? True, the wife's honour is not answerable for that of the husband, but is not her whole earthly happiness for ever destroyed by the perfidy of him to whom she had devoted her existence ? Does

the law of Christ confer immunity on the adulterer? Does not even St. Jerome, that severe censor of the female sex, expressly declare that in equal conditions the obligation is equal, and that what is commanded to the woman in this matter is commanded to the man likewise?

Does not the very fact that his offence will not be visited upon him render it doubly heinous, and brand it not only as a sin but as an act of cowardice, from which every manly heart should recoil? Even if the existing state of society, and the considerations we have above urged, create a certain difference in the extent of the offence, that difference is surely not sufficient to justify law or society in inflicting life-long punishment on the one and conferring complete immunity on the other. What! shall a moment's forgetfulness of duty, always, indeed, *deeply* sinful, but not unfrequently the result of long-endured neglect or unkindness, give the injured husband the right to banish the erring wife ignominiously and for ever from the conjugal roof—to deprive her of her name, her children, of all that lends any value to existence, while under exactly similar circumstances the wife is forced to remain with him who has betrayed, who still betrays her—to behold him showering on a worthless paramour the tenderness and devotion which he pledged to her before the altar? No; religion and morality alike repudiate such a doctrine.

We have neither space nor inclination to enter into a lengthened discussion as to whether divorce is in itself desirable, or the contrary. The question, indeed, is surrounded by difficulties. Regarded in the light of a sacrament, marriage is undoubtedly indissoluble. Nor is the principle of indissolubility of less importance in a social point of view. The stamp of all great things, both

in the material and moral world, is durability ; and the experience of other countries has led to the fear that the introduction of divorce in the Legislature, and the habits of the people, might shake if not destroy the strength and sanctity of the marriage tie. But in England, as in France, marriage is composed of two acts, of a totally different nature. It is not only a religious sacrament administered by the Church ; it is also a social contract, subject to legislative enactment.

The blessing of the priest does not suffice to render it legal ; it must be registered ; and, indeed, a marriage before the registrar will now suffice without any religious ceremony.

Divorce is a lamentable expedient, the necessity of which attests in itself the depravity of public morals ; but for centuries it has been accepted, with considerable restrictions indeed, by the English Legislature. There was nothing positively new in Lord Brougham's demand ; all he required was that the wife should be placed on the same legal footing as the husband, and that the same right should, under similar circumstances, be granted to one as to the other. He stated that in Scotland, where this equality has always existed to a certain degree, domestic happiness, far from suffering by the law, rests on a surer and firmer basis than in almost any other country ; and nowhere are the wives more tender and true. But the moment for accepting this theory was not yet arrived ; the bill in its original shape was rejected. The discussion, however, roused public attention to the glaring imperfections of the Legislature with regard to married women, and has doubtless paved the way to more extensive reforms, at some future period, when the public mind is better prepared to receive them.

But the leaders of the " woman movement " were not

discouraged ; they needed an official defender—an organ especially devoted to their cause.

The press numbered many women among its contributors, but there was no journal devoted to that special cause. They determined, therefore, to found one of their own, and in 1858 the *Englishwoman's Journal* was established. Very lightly esteemed, nay, regarded with some degree of contempt at its commencement, this little periodical seems slowly but gradually making its way ; and though it cannot be said to have acquired much literary celebrity, it has attained sufficient importance to attract the attention of its contemporaries, to secure the good-will of some, and, what is almost as valuable in its way, to call down the satirical attacks of others.\* Its directors are not content with standing forth as the advocates of governesses, needlewomen, dressmakers—in short, of women of all classes who have but a meagre portion in the good things of this world ; they entered courageously on the discussion of their rights and wrongs, and did not hesitate to defend their cause, not only with the pen but with the tongue. The National Association for the Promotion of Social Science gave them the long-desired opportunity. This association, the professed aim of which is to enlighten the various classes of society on their reciprocal rights and duties, and which counts among its members several of the most distinguished philanthropists in Great Britain, not only conceded the right of woman to take her place among them, but even to read her own discourses if she thought fit. In the last meeting of this association, the woman's question, as it is

\* Since the publication of this article, the *Englishwoman's Journal* has died a natural death ; not, however, without attaining its end—that of awakening public attention to the existing condition of women.

called in England, was one of the topics of discussion, and several ladies took part in the deliberations on the subject.

But although the necessity of enlarging the sphere of woman's work is more and more acknowledged by the English public, it is but natural that the claims of the fair innovators should call down both antagonism and ridicule. The question, in fact, is so complex ; it is so closely interwoven with all that is nearest and dearest in social and domestic life ; it involves so complete a change in many time-honoured theories and opinions, that it could scarcely be received with much favour.

The male sex—accustomed, as a rule, to look on woman in a domestic point of view only ; as daughter, wife, and mother, “the angel of the house,” as an English contemporary poet calls her—recoils at the mere thought of meeting her as a rival on the difficult and dangerous path of material existence. They dread lest that purity and delicacy of soul, which form at once her charm and her strength, should be tarnished in those struggles of ambition and personal interest, whence men so rarely come forth untainted. The question called up passionate defenders and violent adversaries. “No one would believe,” said an important London paper, “how completely this discussion has become a party question. If we venture to observe that many occupations specially befitting women are monopolised by the other sex, we are asked if we wish our ladies to sit in Parliament, or take the command of our fleets and armies ? If, on the other hand, we presume to hint that, under ordinary circumstances, the real place of woman is in her household—her highest vocation that of wife and mother—we are overwhelmed by a perfect avalanche of invective from those strong-minded and energetic ladies

who claim a mission more brilliant and more extensive !”

How can these conflicting opinions be reconciled? Who will attempt to solve this most difficult of problems? How can the condition of women, educated or uneducated, who live by the labour of their heads or hands, be ameliorated? What remedy can we apply to the present miserable state of a large portion of the female sex? A state fatal to morality, repugnant to every sentiment of justice and humanity, and which increases in direct ratio with the increase of population, and the progress of commerce and industry.

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### PART III.

THE woman's movement in England, then, stands as follows:—

The partisans of emancipation insist that the present status should be frankly accepted, that women should no longer be educated with the idea that marriage is the sole or principal aim of their existence, as it certainly is regarded at present, both by the majority of women themselves and by the other sex. They would have them see, to use the words of a modern author, “that there are other prizes in the lottery of life besides the matrimonial ones;” and they believe that in so doing they would improve the tone of the female mind, and render a valuable service to humanity. They demand that every social and political career should be thrown open to them; that commerce and industry should be so modified as to permit of their taking their due share in both; and, in short, that they should occupy in every respect a position analogous to that of men.

On the other hand, the opponents of the new system desire that every exertion should be made in the opposite direction. Far from enlarging the sphere for woman's occupation and facilitating her entrance into new careers, they would fain close against her every path which has a tendency to render marriage less indispensable and less desirable in her eyes, in the hope of arresting that fatal current which seems drawing both sexes from the path traced by Providence.

In this, as in everything else, the truth probably lies between the two extremes. Assuredly, for the greater portion of mankind, marriage will always be the condition most favourable to happiness and virtue, more especially among a people whose religious tenets forbid those institutions in which the heart, deprived by destiny of earthly affections, seeks and finds a compensation in a love still holier and purer—the love of God. The joys of a happy home, the tenderness of a beloved wife, the caresses of blooming children, will do more in deterring a man from the paths of sin than all the penal codes ever enacted; and for woman, when she is what she ought to be, that home is her altar, her sanctuary. Let her virtues and talents be what they may, she scarcely needs another to display them. Crowned with her double honours of wife and mother, she feels that for her the highest sphere of usefulness and greatness is in the bosom of her family. Her world is the husband to whom she has pledged her faith, the children whom God has confided to her guardian care—to love the one, to counsel him in difficulty, to console him in suffering, to stand firmly by him in the hour of peril, to share his joys and his sorrows; and to watch over and guard the other, to bring them up for time and eternity. Surely these are duties which, if well and thoroughly understood, are engrossing, high, and holy



enough to satisfy the ambition of any woman. Then let everything which can throw discredit on marriage be met with decided opposition, let everything that tends to facilitate it be encouraged and favoured.

But the real question is—what is the best means of obtaining this end? Can any one suppose that confining woman to a single narrow circle of thoughts and occupations will sanctify or hallow marriage? We do not believe it.

In the first place, in the country in which, according to the last census, there is a surplus of nearly half a million of women, it is clear that unless polygamy is adopted on a vast scale, it is impossible to maintain that woman's only vocation is that of wife and mother, when there are millions to whom these dear and holy ties are forbidden by destiny. Statistics indisputably prove that, in 1856, 350,000 were working in the manufactories, and that 1,300,000 were employed in other labours—all non-domestic. Therefore, for good or for ill, the question at issue is virtually decided. Among these women about 90,000 are married—a fact deeply to be deplored, for miserable indeed is the home from which the wife and mother is absent from morning till night, and sad are the consequences to the children, who are left without teaching or training. Indeed, it is always doubtful whether any wages can really compensate for all the evil her absence must inflict on her family. At all events, if she does work away from home, it ought never to be for more than a few hours a day; the domestic labour should be the principal, the non-domestic the accessory.

Still it must be confessed that this sad necessity has its compensations. Many a husband who would neglect or even ill-treat his wife were she totally dependent on him, is tolerably kind and considerate towards her when

he sees her add the products of her day's earnings to his own ; while, on the other hand, the habit of labour furnishes the means of independence to a woman, if she is left a widow or compelled by her husband's misconduct to separate from him.

It is evident, then, that women must work—it is at once a necessity and a right. For the rich it is a blessing, for the poor it is the very condition of existence. It remains to be seen whether it is possible to create new occupations for the women of the lower orders, and to offer new careers to those of the middle and upper, by extending their sphere of action, and at the same time rendering them more useful to humanity. It cannot be said that means of gaining a livelihood are absolutely wanting to women in England. At first sight it would appear that there are openings for all who seek employment. For those of the lower classes there are the different branches of industry, manufactures, trade, wholesale and retail, needlework, and domestic service. For those of the middle and higher orders, who, taken together, do not number above half the former, there are teaching, arts, literature, and the stage. Why, then, do we find so much misery among the female sex? Numerous as these trades and professions appear, they are all overcrowded. It is calculated that there are in England 15,000 women seeking to gain a subsistence as governesses alone, many of them orphan daughters of ruined merchants or decayed gentlemen,\* and we have seen to what a melancholy condition too many are reduced. The career of arts and literature is for the

\* Out of twenty-four names inscribed on the list of governesses for May, 1866, eighteen were the daughters of gentlemen, viz., merchants, officers in the army, clergymen, landed proprietors!—*Note of Translator.*

chosen few alone ; it demands a special vocation. Woe to the woman who sees in it nothing but a material resource : what cruel deceptions await her !

As to the needlewomen, their position is at the present moment most painful and difficult, for steam and machinery are fast destroying all hand-labour. The invention of power-looms, &c., had already deprived thousands of women of the means of earning a livelihood. Now, the sewing-machine threatens to supplant the needle, as steam supplanted the spinning-wheel and the shuttle. With this terrible rival competition is impossible, and can end only in total defeat. Folding machines, machines to hot-press paper, are already largely employed in many printing houses, and the unhappy working woman beholds with terror one occupation after another snatched from her grasp. At a future and perhaps not very distant period, these marvellous inventions of human skill may be of unmixed service to mankind. The sewing-machine, for instance, by substituting a more rapid and better remunerated labour for the endless stitching which now wears out the eyes and health of the needlewoman, will improve her condition, while, by allowing the firms of ready-made clothes still further to lower their prices, they will place within the reach of the labouring classes many articles of clothing now to be purchased only by the wealthier ; but the period of transition will be a hard one, especially for women.

While writing these lines, October, 1859, we find that the Society for the Employment of Needlewomen, which until now has always succeeded in procuring more or less work for its applicants, has been compelled to refuse 400. Four hundred human beings, without food, perhaps without shelter, thrown out of employment, in addition to those already in the same melancholy position ! While

awaiting the happy results which are confidently anticipated from the mighty inventions of modern science, how shall we contrive to mitigate the suffering of which these very inventions are the cause? What compensation can we make to women for the loss of those material resources and those domestic employments, which the devouring activity and scientific improvements of the present age have snatched from her grasp? This is the great problem of the day.

The English innovators, male and female, would reply without hesitation, Divide the field of human labour into two equal parts, and let one half be reserved for women. So be it; but the first and most elementary law of labour consists in not introducing new competitors into the market when already overstocked. Now, unfortunately, whenever men and women work together, there is an immediate tendency to the depression of wages. It may be cruelly unjust, but such is the fact. In the present age, cheapness is the one thing needful. If, in finding new openings for female labour, we diminish those for the other sex, or, at all events, lower the rate of wages, of what use will this modification be to society in general? "Put some thousands in the electric telegraph offices all over the country." But in replacing the man who now occupies that office, and receives £60 or £80 per annum, by a woman, whose salary will not exceed £40, what service shall we render society at large? Undoubtedly, in a few solitary cases, certain women would be benefited; but in a matter of such mighty moment, it is not the welfare of a few individuals, but of humanity as a whole, that must be weighed in the balance. Not that we would exclude women from this or any other department of labour in which she is capable of working effectively. On the contrary, we are rejoiced to find that more are daily laid

open to her. We would only urge the above argument on the consideration of those who would seek a panacea for female destitution by thrusting her into employments already pretty nearly filled up.

In France, where manufactures, trade, and labour of all kinds are so rapidly withdrawing the rural population from farming and field-work, and peopling the towns at the expense of the country, it would not be amiss if many of the stronger sex would return to the business of agriculture, and leave the more sedentary occupations to the weaker. But in England, where every morsel of ground is cultivated to its fullest extent (except, indeed, the parks and preserves belonging to the wealthier classes), the matter is very different. True, England has her colonies, which offer her immense safety-valves France is far from possessing; but it must not be forgotten that for one woman who emigrates there are at least ten men, and should this continue much longer, it will only increase the numerical disproportion of the two sexes, which is one of the principal causes of female destitution.

As to professional careers, before opening any new ones to women, it might not be amiss to examine how far they could engage in them without unsatisfactory results to themselves and society in general. To begin with the Bar. We will not dwell on the length, the dryness, or the severity of the studies demanded for the acquisition of legal knowledge. Women have already proved that the most difficult tasks are not above their powers. In Paris a young lady has lately pleaded her own cause before the civil tribunal, with a skill, a courage, and an eloquence the first barristers might have envied. But the admission of women to the bar—unless composed exclusively of their own sex and of most grave

and reverent seniors of the other—would, it seems to us, have somewhat extraordinary results, even in the comparatively dull atmosphere of England. A woman of sixty might perhaps take her place among lawyers and barristers without inconvenience; but to obtain any eminence at the bar, the law student must commence his terms before the age of *twenty* at least. Now, we will say nothing of that bashfulness, which is generally considered one of the attributes of very young women, for that, of course, might and would be overcome, as it often is at present when duty or necessity command; but what father, what husband—and husbands and fathers must be counted for something even in these days—would consent to see his youthful wife and daughter closeted for hours together in consultation with barristers of the other sex, often young, sometimes charming, and by no means celebrated for the severity of their morals?

But all must admit that cases are constantly brought before the English courts of law, both criminal and civil, which could not decently be undertaken by females. It is all very well to say they might choose their own briefs. No barrister, unless previously engaged, has a right to reject any client who applies to him. "We are like the cabmen," said an eminent barrister to us; "we must come to the first caller." Let any one take an English newspaper and read the scandalous cases of all descriptions which figure in its columns (and how can it be otherwise in a country where divorce is the law of the land, where suits for breaches of promise of marriage are of daily occurrence, and where the liberty of the press exists in the fullest sense of the word?), and let him tell us whether any woman could embrace the profession of barrister, in the present state of society, without trampling under foot all those instincts of delicacy and modesty with which

Providence has endowed her, to elevate and purify the human race.

As to medicine, and, above all, the treatment of female complaints, that is quite another thing. There are special maladies which women would probably understand better, and treat more successfully, than men—nervous affections, for instance, which they have constant opportunities of studying, if not in their own persons, in those of nine-tenths of their sisters (for few women now-a-days are exempt from them), and organic diseases, which modesty often prevents the sufferers from revealing to their medical attendant till too late for cure, or even relief. The rapid perception, the intuitive delicacy, the sisterly tenderness of a good, wise, and gifted woman would be certainly invaluable to a large portion of her sex.

Now, there is a country in which the medical career is open to women, and that is America. The female college of Boston, founded in 1844, and maintained at the expense of the state of Massachusetts, receives yearly a considerable number of female pupils. A lady professor teaches anatomy, midwifery, and presides in the dissecting room. Women can receive the diploma of Doctor, and Miss Elizabeth Blackwell has succeeded in attaining a high medical position in the United States. This remarkable woman is of English birth, though the misfortunes of her family led her to the shores of America at the age of ten years.

We have not space here to recount in detail the life of Elizabeth Blackwell; suffice it to say, that she does not belong to that class of strong-minded women, as they are called, who are constantly hurling defiance to the world in general, and thus seriously injuring the cause they seek to advance. Nothing could be more gentle

and more truly feminine than the manners and deportment of this young girl, who, by her firm and resolute power of will, contrived to break down these barriers, before which so many gifted women have been compelled to retreat.

The duties of governess, which she had exercised from her youth upwards, had early developed her intellectual and moral faculties. But speculative studies did not suffice. She felt the want of a wider, more active, more practical existence; and she resolved to devote herself to medicine, not only as a means, but as an end. After three years of conscientious study, under the direction of a celebrated professor, Miss Blackwell sought to obtain admission to the medical schools of New York. In this she failed; but she was not discouraged. She attended private lectures on anatomy; and when she felt sure of her own competency, she addressed a demand of admission to all the schools of medicine in America, forwarding, at the same time, certificates from the medical men under whom she had studied. The University of Geneva, in the State of New York, alone acceded to her demand. Thither, accordingly, she proceeded without delay. She was the first woman who had ever entered those precincts, and she found herself in the midst of 500 wild young students, who were only watching the opportunity of playing her some boyish trick; but her dignified manner, at once calm, gentle, and reserved, soon imposed respect both on students and townspeople, the latter of whom at first viewed her with no little suspicion.

At length, after two years' severe and persevering study, Elizabeth Blackwell attained her aim, and received from the hands of the President that doctor's diploma for which she had endured so much toil and suffering. The room was crowded to overflowing, and it was amid an



admiring and sympathising audience that the President, after rendering due homage to the talent and excellent conduct of Elizabeth Blackwell, declared that her presence in the college, far from having interfered with strict discipline, as had been prognosticated, had, on the contrary, exercised a most beneficial influence on the other students.

On quitting the University of Geneva, Miss Blackwell repaired to England ; but she failed in obtaining admission to the course of lectures at the hospitals. Nor was she more fortunate at Paris, where she found the same prejudices to contend with. She was advised to assume the masculine garb, which would at once overcome every difficulty ; but she rejected the idea with disdain. "I will attend as a woman," she replied, "or I will not attend at all."

At length she succeeded in gaining admission to the Hospital of the Maternity. In 1857 she returned to New York, where she established herself under the title of "Doctor to Women and Children." With intuitive delicacy, she felt that here lay the real vocation of the female physician. For some time medical men refused to meet her in consultation ; but her talents and perseverance triumphed over every obstacle, and she has now taken the place she merits among the practitioners of New York. In 1859 she again visited England, where she obtained the recognition of her diploma by the London College of Surgeons ; and a few weeks later, at a meeting of the Social Science Congress, in a brief but excellent paper, she set forth her views on the "Duties of Women," and the part they are called on to fulfil in a well-organised society.

In England, as in France, a female physician would be a phenomenon too new and startling, too contrary to

the general tone of thought and feeling, to be received or admitted. One of the principal obstacles which, in the opinion of many persons, will and ought to prevent women from embracing the medical profession, is the study of practical anatomy. They turn with disgust from the very thought that this fair and gentle being should go through that repulsive course of dissecting, &c., which they regard as contrary to her instincts, and tending to destroy all that is lovely and ethereal in her nature. From this view of the case we wholly dissent. Science has no sex. Studied and pursued with the high and holy aim of benefiting humanity, it neither hardens the heart nor blights the sense of moral delicacy, for charity purifies and ennobles all it touches. Of what sex are the Sisters of St. Vincent de Paul? There will probably be few women capable of enduring the horrors of the dissecting room, or at least they will always be the exceptions; but that is a question for women, and women only, to decide.

But, in the present condition of morals and manners it must be confessed, on the other hand, that the medical profession presents serious difficulties to women. In the first place, they must walk the hospitals, and thus come in continual contact with the male students, and that at an age when the heart is most open to the influence of affections and the passions are strongest. Miss Blackwell, indeed, is a proof that a woman, young and unprotected, may pass safely and surely through this difficult ordeal; but the exception cannot be accepted as constituting the rule. We doubt whether there are many young girls who would be as calm, collected, and self-possessed in a very trying position as Miss Blackwell.

But supposing the medical profession open to women, it is evident it would not be without its perils, especially

to the young and unmarried—perils of a nature we need not specify. To the married female it would also be attended with certain drawbacks. We confess we do not envy the household in which the wife and mother may at any moment be called from her husband and children to attend the sick. Married or single, it may be questioned whether it would be wise for a woman to set off, perhaps in the dead of night, on a cross country road, to visit some distant patient, as in country practice she would often be compelled to do ; or to venture into those dens of vice and infamy, where in great towns the duties of her profession would occasionally summon her, ere she attained eminence.

But, allowing that all these dangers and inconveniences could be obviated, the capital question still remains, whether the profession of doctor and surgeon is not already overcrowded. Are there not many young medical men of no common talent without patients ? Is it to be wished that women should enter this career to create still further competition ? Still, it is so desirable, not only for the sake of individuals, but for that of the whole sex, that woman should be qualified to undertake the treatment of women, that we should endeavour to hasten the realisation of this object by every means in our power. In America a woman can, apparently without danger or difficulty, fulfil the duties of medical practitioner. Why should it not be the same in Europe ? Because in America she finds in every man a friend, a protector. Young or old, rich or poor, married or single, she may travel alone in perfect safety from one end of this immense continent to another. Nor is the feeling of respect which she inspires confined to the higher classes of society ; it extends to all, even the most lowly, and forms a security against insult or injury which exists in

no other land, not even in Great Britain. Still, the influence of women, and the respect in which they are held, are daily increasing in England, thanks not only to the education now bestowed upon them, but to the important fact that women now take part in almost every practical effort to improve the condition of humanity. It may, therefore, be hoped that the moment is not very distant when that respect towards the feebler sex will be regarded as a sacred law—a duty, the neglect of which will stamp a man with indelible disgrace. When that day arrives women may exercise the medical profession, and others from which they are now almost necessarily excluded. Meanwhile, however, something might be done. There is one branch of medical science which is open to her in England as elsewhere—that of midwifery ; and in which, both in France and Germany, she has attained considerable eminence. Unfortunately, in England this class is, generally speaking, of the very lowest order, ignorant and untrained in their profession. Any attempt which should succeed in producing midwives fitted to undertake ordinary cases would be a real benefit, not only to some of the innumerable women seeking occupation, but to a certain portion of the more delicate-minded in the higher classes: even then there are cases too trying for the nerves or physical endurance of any woman ; but in general her strength and energy would amply suffice. In addition, there might be special courses of lectures given for the instruction of female students, in one of the hospitals for women or children, under the superintendence of a married physician of irreproachable moral reputation.

Her studies completed, she might remain attached to the hospital as doctor or nurse, according to her talents and the progress she had made in medical science.

As to industrial pursuits : although so many of them

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are unfortunately overcrowded, there are still some branches admitting of considerable development, where women might be introduced without lowering to any perceptible degree the rate of wages. The manufacture of jewellery, for instance; optical and mathematical instrument making, engraving, lithography, hairdressing, bookbinding, and watchmaking. These occupations, suit female tastes and aptitudes; and the Schools of Design, of which we have already spoken, are peculiarly valuable in preparing women for the time when the sewing-machine will so completely have superseded the needle as to deprive the lower orders of women of what has hitherto been their main resource. Many of these professions present one important advantage: women can carry them on without leaving the domestic fireside. Then, too, there is printing. In the United States there are typographical establishments in which the greater portion of the workpeople employed are women, and they have the same wages as the men. It has been proposed that women of higher education should become lecturers or readers, and certainly there is nothing in that profession which is in the slightest degree inimical to the delicacy or dignity of the female sex. As the love of reading and general literature increases among the mass of people, it is very possible that this career may be opened to many women; but at present the number so employed can be but small. Some well-intended individuals, in their regret at perceiving that the non-domestic labour in which so many women are engaged has an inevitable tendency to weaken family ties and destroy the happiness of the household, would settle the question in a summary fashion, by forbidding women to work in factories altogether.

It is scarcely necessary to prove that the employers of

labour have learnt at length that, setting aside all higher considerations, it is their interest to care for their workpeople. They have begun to feel the serious responsibility involved in the position in which they are placed. Undoubtedly, this rule is far from holding good in all cases, but it may be said, and with truth, that in many cases large employers of labour are the best friends and truest benefactors of the working classes.\* The factories have also undergone a complete transformation—at least, in the large mills. Floods of light and air now penetrate into the work-rooms, once so sombre and unhealthy. In many dangerous and difficult operations machinery has superseded the labour of women and children. The duration of work for both is reduced to ten hours per day, an enactment which, however contrary to the strict laws of political economy, is too valuable in its results on the health and welfare of the labouring classes not to claim general approbation. It is only in factories of the second class that we still occasionally find that contempt for human health and life, that odious indifference to the sufferings of the weak and helpless, which was at one period almost universal. Statistics prove that it is generally the poor needlewomen, stitching in their solitary garrets for four-

\* We may cite as instances—Saltaire, Mr. Titus Salt's alpaca manufactory, which is, in fact, a town, consisting of 700 dwellings for the workpeople, of whom 3,000 reside there—substantial and comfortable in every respect, the rents varying from 2s. 6d. to 7s. 4d. per week—barely 4 per cent. on the capital laid out—with schools, dining-hall for such of the workmen as reside at a distance, wash-houses, baths, reading-room, and library—the charge 1s. per quarter; Messrs. Akroyd and Crossley's manufactories, at Copley, where they have erected a working-man's village; Mr. Whitehead's at Holymount; Mr. North, in the neighbourhood of Liverpool; Mr. Price's Candle Company, London; and others too numerous to cite.

teen hours to earn a morsel of bread, who supply that class of unhappy beings depending for their existence on the wages of sin and shame. True, the standard of morality among the girls and women of the manufacturing districts is far lower than could be desired, but there is a decided tendency to improvement. At all events, it is evident that nothing would induce capitalists and men of enterprise to renounce industrial undertakings on a great scale, especially in England, where they have assumed such immense proportions, and where everything seems to concur in multiplying the products of manufacturing labour, and concentrating the great masses of the population on the same point. Nothing, therefore, remains but to accept the system as it actually stands, and to do the best we can to ameliorate it. The example of the town of Lowell, in America, goes far towards proving that, in conscientious hands, a manufactory may even be made the basis of moral regeneration for the employed. The young girls working in this immense establishment are as virtuous as any in the United States. They generally leave the mill when they marry.

We see, then, that in England attempts to improve the condition of the manufacturing classes have been and are still being made, and on a great scale ; but it was reserved for France to offer us the best solution of the problem which has hitherto puzzled society—how to conciliate the factory system with family life. At Mulhausen a great step at least has been taken towards answering the question satisfactorily, for there—in addition to the admirable arrangement by means of which the workman can, after a certain lapse of time, become proprietor of a neat little house and garden, at a price but slightly exceeding the rent of an ordinary room—the women are the special objects of care and attention.

The wife of the proprietor of the mills visits them at their own little homes, enters into their joys and sorrows, becomes their friend and adviser ; and we all know how immense is the influence of an earnest, cultivated woman, above all, on her own sex. Let the ladies who reign over the great industrial centres of England follow this admirable example. Instead of shunning all contact with the factory woman, as is too often the case, let them bring to her aid and support the same interest and solicitude which Mrs. Fry brought to the prisoner, and Mrs. Chisholm to the emigrant and convict. It is only by ameliorating the moral, intellectual, and material condition of women, that we can hope to improve that of society itself.

Domestic service presents in England as in France a resource for a very numerous class of women. Generally speaking, their condition may be regarded as a happy one. They are well treated, well fed, and, above all, comfortably lodged ; the former, indeed, much better than in France.\* On the whole, they may be considered as superior to the same class on the other side of the Channel. There are many who take a warm and sincere interest in the welfare of their employers, who grow grey in their service, and are regarded rather as friends than as dependents. Of late, however, the relation between masters and domestics has undergone a considerable change for the worse, and there is a general complaint of the difficulty of finding good servants. The mistresses of families have in their own hands the means of remedying this evil, at least to a considerable extent, by exhibiting more unvaried kindness and consideration towards good

\* By the census of 1851, there were 664,464 female domestic servants in England. In 1861, the number had increased to 976,931.

—*Note of Translator.*



servants, and inflexible justice towards the bad, and strict integrity as to the character both given and received. Let every lady contribute to the best of her ability to the extension of those homes where domestics out of service find food and lodging for a small remuneration, and thus avoid the lodging-houses, which, in England as in France, are often mere dens of infamy.

But when everything is done that can be done—when every barrier has been thrown down, there will still remain in England a surplus of 500,000 women, the greater part of whom are unprovided for. What means can be taken to re-establish to a certain degree the numerical balance of the sexes? To us but *one* seems possible—*emigration*. The extraordinary development which emigration has attained in England since the year 1846, and to which we have alluded in a former article,\* has perhaps done much to preserve the country from a social revolution. But of the three millions of individuals who, between 1846 and 1859, have abandoned their native land for Canada, North America, and Australia, three-fourths at least are men; and this, of course, only increases the disparity between the two sexes. Causes needless to enumerate have hitherto prevented the emigration of women to anything like an equal extent. More Mrs. Chisholms are needed to facilitate the voyage to these distant lands, to watch over the emigrants on their arrival, and to ensure them a suitable asylum till they can procure situations fitted for their wants and capabilities.

Nor is it only women of the lower orders for whom emigration is desirable. Until lately, indeed, a highly educated woman would have found nothing to do in Australia. Such at least was the general impression, both in England and in the colony itself. Of what

\* Penal Reform, page 51.

earthly use, it was said, could be a first-rate education to the daughters of an Australian colonist? If she could read, write, and cipher, and strum a tune or two on the piano, it was all that was needful or desirable. As to marriage, those men whose fortune permitted such a luxury, preferred returning to their native country, and there choosing a wife, and taking her out with them. But within the last few years a considerable change has taken place in the manners, habits, and views of the Australians. The want of a good education for the younger female members of the colony is beginning to be recognised. "A well-educated woman," said a rich inhabitant of Van Diemen's Land, a short time ago, "will easily find a situation among us, with a far higher salary than she can command in Europe." Here, then, seems a loophole for escape from the pressing difficulties that beset this most perplexing question. Let, then, all the true friends of woman set about organising emigration societies, at first on a modest scale for those of the middle class; and sooner or later this movement will, no doubt, produce the happiest results.

Meanwhile there is an institution which we are fully convinced would contribute to alleviate the condition of the women of England, by offering a safe and sure asylum to at least some thousands among them; while, at the same time, it would utilise their physical, moral, and intellectual activity, which now too often run to waste—that of *sisterhoods*. In this suggestion we are supported by the writer we have already quoted,\* who from personal experience was fully convinced of the efficiency of these communities. Of course cloistered convents are not to be thought of in England. Clergy, aristocracy, and people would unite in opposing them with

\* Mrs. Jameson, "Communion of Labour."

invincible repugnance. Nor can it be denied that these monastic establishments, so valuable in a turbulent and lawless age, when the weak were naturally the prey of the strong, are no longer in harmony with the manners, habits, and sentiments of an industrial epoch, and still less with the spirit of Protestantism. But this remark does not apply to those sisterhoods which are devoted to charitable labours, let them belong to what order they may. These unite all sympathies, Protestant, Catholic, Freethinker, and bigot. England would gladly have her Sisters of Charity, but she objects to the vows and costume, which partake too much of the nature of a Catholic institution. The Bishop of Exeter, however, has just given his sanction to the proposal of some pious ladies, who, despite the prejudices of sect and country, have determined to form themselves into a religious community, and devote their lives to the relief of human suffering. There is even some mention of a novitiate, and vows pronounced for five years. Be that as it may, one result has been obtained. The 29th of November, 1858, the new building of the House of Refuge, opened to fallen and repentant women throughout the whole country, in the parish of Ditchingham, Suffolk, was inaugurated by a religious ceremony. In his opening address, the rector informed the audience that the duties of watching over and attending to the inmates of the asylum were entrusted to Protestant sisters, who had expressed their intention of living and dying within these walls, though they had taken no vows to that effect. On the whole, it is most desirable that sisterhoods, to a limited extent, at least, should increase and prosper.

Some writers, in the search for a remedy for female destitution, have proposed that women should take a more active part in industrial and commercial enter-

prise. In England, women of the middle class generally keep more aloof from the shop or counting-house than in France. While the tradesman, retail or wholesale, condemns himself to a life of fatigue and labour, to provide for the wants and wishes of his family, and to bring his children up in comfort, and even luxury, often above their position, his wife and daughters spend no inconsiderable portion of their time in paying visits, fancy needlework, and similar useless pursuits; and are so completely strangers to the commercial operations of the firm, that at the end of a year they are utterly ignorant whether they are richer or poorer. Now it is certainly desirable that every woman should enter into her husband's pursuits, and it might not be amiss if she could assist him now and then, when he stands in need of help; but even if the domestic duties entailed by a family did not frequently render this impossible, it might still be confined to a certain class, and within certain limits.

Can any one think it desirable that women, as a rule, should rush headlong into the world of commerce, should become absorbed in the vortex of speculation, and emulate the other sex in gambling at the Stock Exchange? Is it not lamentable enough that so many men should be utterly engrossed by the thirst for gain, as to become insensible to every high and noble aspiration, without urging women to join in the race, save where it is an absolute necessity? The author of a work entitled the "Social and Industrial Condition of Women," maintains that a more active intervention of the female sex in commerce and industry would elevate the tone of both, and soften the love of lucre which predominates in the mercantile classes. This hypothesis, however, is not borne out by experience. There is a certain tendency to exaggerate whatever touches them nearly, whatever is close at hand,

which often renders women even less scrupulous in business affairs than men. Their nature, from its very impressibility, is more easily marred and altered for the worse, when it comes into contact with the harsh realities of commercial life. Of all employers of labour, women are, as a rule, the most exacting.

It is often asserted that a woman's distinctive qualities as woman will always be her safeguard; that, protected by her native purity and sense of right, she may securely brave the most pernicious influences, and fearlessly accept positions entailing both risk and temptation. This seems to us an error. Woman is, above all, a creature of emotion and impulse. A sound and vigorous education fortifies and elevates her mind and intellect; but the very delicacy of her nature—that delicacy which constitutes her distinctive charm—renders her more easily accessible to external impressions than man, whether for good or for evil. At all events, those women who enter into commercial pursuits should be the exception, not the rule. There will be always enough compelled by necessity to take an active share in mercantile and industrial life, without women of independent fortunes entering into competition with the male sex, as seems to be desired by certain writers on the subject. The political emancipation of women has also its partisans in England. Assuredly, if the right of electing and being elected members of the body politic is founded on the sole title of a free and intelligent human being, woman may claim that right; but in practice this theory must be subject to considerable modification. Though the equal of man, woman was never intended to be his rival, or to perform precisely similar duties, or play a precisely similar part. To the former belongs the world without, with its struggles, its hopes, its glories, and its toils. To the

latter, the world within ; with its joys and sorrows, its small but important details, its tender and holy duties of daughter, sister, wife, and mother. Now it is difficult to reconcile the mission which Providence has evidently confided specially to woman with an active participation in public life. By the supreme law of nature, every other interest, however important, does and ought to disappear before the cares and anxieties of the mother and matron. When claiming for woman a part in the drama of political life, it is only the spinster or the widow who can be thought of. But, admitting this argument, it is urged, and very truly, that despite the law of primogeniture, and the tendency of fathers and husbands in England to leave the greater portion of their wealth, more especially territorial, to their sons, there is no lack of old maids and widows whose fortunes are sufficiently ample to entitle them to a voice in a country where political rights are based on the possession of landed property ; and although the presence of women in the Legislative assembly might be open to serious objections, it is difficult to conceive why a simple vote in the election of members should excite alarm.

The widow who administers her own and her children's fortune, and thus fulfils in a certain degree the same duties as the other sex, ought in common justice to enjoy at least a portion of the same privileges. There exists a singular anomaly in England in this respect. While, on the one hand, women are denied all share in public business, on the other, they may fill the highest functions in the State, those of sovereign ; and, it must be confessed, they seem admirably fitted to wear the diadem. When we contemplate in history Isabel of Castille, Elizabeth of England, Maria Theresa of Austria, and Catherine of Russia, one is really tempted to believe

that the proper vocation of women is to reign. It must be remarked, however, that these illustrious sovereigns, while displaying all the loftier qualities of the other sex, too often forgot the distinctive virtues of their own, and that some among them have rivalled the most renowned tyrants of history in cruelty and ambition. It may be added that not one of them ever devoted a thought to the sufferings of her own sex, or enacted a single law to ameliorate their social condition.

To speak truth, we attach very little importance to the acquisition of political rights by women. Not that we think it either right or desirable that they should stand by, idle and indifferent spectators of those great social movements on which often depends the happiness or misery of a large portion of mankind; but it is better for the world at large that for the present at least they should content themselves with being the inspirers of all that is good, great, and beautiful—the protectresses of the humble and the oppressed—the guardians of family duties and family virtues—the types and models of tenderness, purity, and truth. We do not for an instant desire that women, while submitting to those laws which forbid their mingling in public life, should shut their eyes to what is going on around them. The comparatively passive part they are called on to play, does not forbid their exerting the influence of opinion—that most subtle and powerful of all influences on the minds of men. Less governed by political passions and personal ambition than the other sex, sufficiently removed from the sphere of action to form a clearer and more dispassionate judgment than the actors engaged in the great political drama, women can often take both a wider and a clearer view than those who are in the very heat of the conflict. Let them for the moment content themselves

with lending those actors the aid of their keen and delicate perception, their steadfast affection, their ready sympathy. That to fulfil this part is no easy task we fully admit. To be conscious of possessing a lofty intellect, a superior capacity, powers alike for thought and action—the capability of directing and guiding the minds of men—to feel the need and the desire of doing great things, of leaving traces of one's passage in some high and noble work, that may transmit one's name to distant posterity, and yet to consent to keep in the background, to play voluntarily only a secondary part—to be satisfied with shining, as it were, by reflection in the person, acts, and words of another—of a father, brother, or husband. Oh! such abnegation as this can spring only from that Christian devotion which soars far above all consciousness of self—that devotion which finds its purest joy, its sweetest recompense, in the glory and happiness of another—that devotion which God has implanted in the heart of woman alone.

But every question affecting general progress has two sides—the public and the domestic. The latter enters into the special province of women. To them accrues the duty of interesting themselves in the fate of those of their own sex who have to gain their livelihood by daily labour of head and hands. The orphan, the poor, the homeless, the destitute child, and the sorrowing widow may justly look to them for aid and protection. This is more especially women's mission, and, humble as it may appear, it is in reality more powerful in the regeneration of society than the most eloquent speeches or the most heroic deeds.

Providence has decreed that all material progress in the physical world should be the result of a slow and mysterious development of the laws of nature, and in



the same way it has ordained that society should advance in the path of moral improvement by gradual, almost imperceptible, degrees. And even as from the germs sown by the Divine hand in the bosom of nature has been evolved that state of comparative perfection which the physical world now presents, even so has the Creator left it for man to realise the accomplishment of his glorious destiny by the development of those virtues the seed of which is sown within his breast, demanding only time, care, and cultivation to bring forth a plentiful harvest. Of these, courage, resolution, and force of will were long regarded as alone deserving admiration, or exercising any empire over the destiny of man. It was reserved for Christianity to hallow the milder virtues, the peculiar attributes of woman, by the example of the Saviour himself; and in the present age it is felt and acknowledged that gentleness, patience, and love are not less potent for good than strength, valour, and energy. Thus the social emancipation of woman may be said to have been prepared, and that emancipation in the true sense of the word—viz, the admission to all trades and professions, so far as her own capabilities and the interests of society permit; if married, a due share in the administration of her own and the joint property, and more efficient protection in case of conjugal ill-treatment or infidelity—is all the wiser female reformers demand; and sooner or later they will certainly end by obtaining it. The enlightened classes among the English, less absorbed than the French by the love of pleasure, are becoming more and more impressed with the duty and the necessity of devoting their efforts to the amelioration of society at large, and they admit with one accord that this amelioration cannot be effected unless the condition of woman is elevated.

Indeed, the English, as a nation, are actuated by a sincere desire to correct existing abuses, and do not hesitate to sound all the wounds of the body, social and politic, in the hope of effecting a cure. Undoubtedly much remains to be done; but, gigantic as is the task, they do not shrink from it. They stand forth boldly to grapple with the fiend. Thus some efforts are at length being made to get at the real cause of, and if possible to mitigate, that most hideous of social ills, "the great sin of great cities," as it has been aptly termed, which eats into the very heart of the nation, and too often selects as its victims precisely those who ought to form its glory and its strength. We know that in England a tacit agreement has long subsisted between the Legislature and the public to draw a veil over this melancholy subject—as though to acknowledge its existence and seek a remedy were to propagate the disease, and add to its intensity. In 1853 the publication of an article in the *Westminster Review*, the first that had ever appeared in an English periodical on this dismal and delicate matter, and a series of letters in the *Morning Chronicle*, attracted general attention. The latter dwelt particularly on the causes which lead women to become prostitutes. The larger number of these wretched beings are born and bred in sin. Many fall from vanity and sensuality. Many—and surely these are objects of the deepest pity—have been the victims of a true though fatal passion, and have yielded to the dictates of a too fond and confiding nature, and, abandoned by their seducers and spurned by the world, have taken to the streets as a last and desperate resource. But one great and determining source of prostitution is *distress*—the grinding poverty resulting from insufficient earnings. So long, therefore, as this continues, the fearful evil which it brings in its train will continue likewise.

Here the Legislature can afford its aid, by doing away with those merely arbitrary barriers which lower the market value of female labour, and thus sparing women fatigues and sufferings beyond her powers of endurance. It is for the Legislature to modify the laws affecting married women, not only in the interests of conjugal happiness and morality, but in those of society taken as a whole, on which these laws react in an unfavourable manner. Many changes are likewise demanded in the whole system of social economy. Let measures be taken for the amelioration of the dwellings of the poor, the insufficiency and insalubrity of which contribute so fatally to the depravity of the lower orders, especially of women.\* Let there be greater care in the internal administration of workhouses; let it be forbidden by Act of Parliament to associate the vagrant or vicious child with the offspring of poor though distressed parents, with the orphan, or even the foundling. Let the separation of the two sexes be strictly enforced in factories and workshops wherever it is practicable, and let a matron be appointed to watch over the younger girls. Let women of the middle classes endeavour to establish efficient female superintendence wherever young women are employed. Without such protection, no real friend to morality could desire to introduce girls into certain trades or professions, even if all other difficulties were surmounted, for by this alone can they be protected against the temptations and dangers which will inevitably assail them. Let women

\* "The philanthropist," says the author of the letters in the *Morning Chronicle*, above mentioned, "may exert himself in their behalf, the moralist and the minister of religion may warn; but there is an instrument more potent for mischief at work—the single bedchamber in the two-roomed cottage." Much, however, has been done for this desirable end within the last few years. (See Appendix to articles on Crime and Poverty.)

be admitted to a due share in the administration of hospitals and prisons intended for their sex;\* let the asylums and refuges for those unhappy beings who, though fallen into sin, are not yet utterly lost, be increased and multiplied; let encouragement be given to the formation of sisterhoods of mercy and charity—those guardian angels of the poor and suffering; let every father insure the lives of his daughters, so as not to leave them utterly penniless, if, as so often occurs, he dies without having provided for the means of their future existence; but, above all, let the true friends of the female sex organise emigration societies for women of the middle as well as of the lower classes. This is perhaps the only effectual means of solving, in a satisfactory manner, that terrible problem, which the English put forth in every possible form, What is to be done with our women?

In the preceding pages we have spoken of the women of England only; but while retracing their history and their fortunes from the sixth to the nineteenth century, while examining the divers conditions of their social life, our thoughts have continually reverted towards France.

This article is already too long to admit of our adding more than a few lines in reference to the women of the latter country; but we would ask whether those of the lower orders who live by manual labour—the needlewomen, for instance—are less to be pitied than the same class in England? Is not family life fast disappearing there likewise, before the all-absorbing factory system? Are not mothers compelled to abandon their children from morning till night, though the universal adoption of

\* Since this has been written, great changes have been effected in this respect. All the female prisons in Great Britain are under the charge of female officers. (See Appendix to Crime, page 100.)

infant nurseries, and the devoted care of the Sisters of Charity, render the results of this abandonment less fatal than in England? Are there not thousands of women, in all descriptions of trade and handicraft, who cannot gain sufficient to provide for the daily wants of existence? Does not prostitution exist in Paris as in London, in its most dangerous, if not its most hideous form? Are there not in all the great centres of industry agency-offices, specially organised, to facilitate the supply to the houses of ill-fame in the capital? Are not the abodes of the poor still unhealthy and insufficient, despite the improvements and embellishments of the capital? Does not female education imperatively demand greater attention and reform? Are not the laws as unjust—nay, perhaps more unjust—towards woman than those of Great Britain? And above all, is not the love of morality, in everything concerning the female sex, far lower here than it is there? To work, then! Let every one aid in the noble effort, so far as his powers and influence permit. Let us remember that to ameliorate the condition of women is to purify the morals, to strengthen the principles of society, to establish on the widest and firmest basis the prosperity and happiness not only of an industrial nation, but of the world itself. And women, on their side, to whatever class or country they may belong, must not forget that they hold in their own hands, in no small degree, the happiness or misery of their sex, of humanity, and of generations yet unborn.

“It is women,” says Sheridan, “to whom God has confided the task of writing in the heart of man his destiny in this world and in the next, for women are mothers;” and, in fact, over the child the influence of the mother is predominant. It is from her lips that he learns his first lesson—from her example that he receives his first im-

pressions, for good or evil ; and in after life, deep within the secret recesses of the heart, we always find the traces of a mother's early lesson. But no woman can exercise a salutary and enduring influence on the mind of her son without herself possessing not only a cultivated intellect, but sound sense and high moral purpose. To love her child, to surround its infancy with the tenderest and most devoted care, to watch beside its bed, to soothe its feverish pillow, to pray for it at the throne of the Most High ; this is indeed the duty of a mother—but this will not suffice. She must know how to reconcile filial reverence with filial love, maternal authority with maternal tenderness. She must know how to guide her boy in the path of right and duty, by teaching him an habitual mastery over his passions ; she must form the moral character of the future man while he is yet in the cradle, and secure its regular and harmonious development. Nor is this all. She must, to a certain degree, associate herself with his studies and pursuits, if she wishes to direct them ; she must know something of the world in which he is to move, that she may guide him through the labyrinth of life ; and yet she must keep her own heart pure and holy, that she may elevate his young soul towards that God who has confided it to her care, and point out a higher and nobler aim for his ambition than material enjoyment or worldly interest. If she does this she may make her son a great, and assuredly will make him a good, man ; if not, she will lose her influence over him at the very moment when it will be most necessary and most useful.

In the conjugal relation, too, woman can do much to regenerate society. If she does not *make* the morals of the world, at least she can, in a great degree, improve and reform them. Let her be a little more severe to the sins of the other sex, and, without for an instant lowering that

lofty standard of purity and virtue which is the basis of society itself, let her be ready to hold out a helping hand, *at least* to the unfortunates whose fall is owing more to weakness than innate corruption, and who atone for their errors by sincere and lasting penitence.

Then, too, with respect to marriage. At the present moment, whether through ignorance, carelessness, or some less pardonable motive, the morality of the husband, his principles or his previous life, are the very last things with which either the bride or her relatives concern themselves; and this is pretty much the same in all countries. Now we do not ask what we fear is impossible,—we do not expect absolute perfection in men. Some allowance must be made for the passions of youth, and the weaknessess of human nature; but one thing we have a right to demand, that those who have not the strength to practise virtue, should at least respect it—that they should not parade their vices; that the seducer should no longer assume the air of a conqueror, whose triumphs enhance his merits, and be regarded as one by the very sex he has betrayed, but that he should be treated with the contempt he deserves; that a woman should at least prefer for her husband a man worthy of her esteem. When that moment arrives, if it ever does arrive, it may truly be said, that the regeneration of society will have commenced, and will be in a fair way of progression—a regeneration in which the State will find its surest guarantee, and existing institutions the best pledge of stability. Let us remember the words of Montesquieu: “More nations have perished from immorality than from crime.” Assuredly, the form of Government, the material resources of the soil, the progress of science and industry, contribute in no ordinary degree to the prosperity of a country. But there is some-

thing more important, more precious, than even these—the love of honest labour, the respect for the sacred tie of marriage, a strict regard for the rights of every individual, high and low, rich and poor ; and above all, firm moral and religious convictions. It is on these grounds that repose the real grandeur, the real prosperity of empires and people.



## APPENDIX.

SINCE the completion of this article, much has been done in England to ameliorate the condition of women of the lower and middle orders, owing principally, it must be confessed, to the strenuous efforts of women themselves. Towards the close of the winter of 1859-60, the direction of the Victoria Press—in which women alone were employed, at wages not inferior to those paid to men of the same class—was undertaken by Miss Emily Faithful, and has hitherto met with the most decided success. It is proved that, with the exception of some of the heavier descriptions of labour, every process required in printing can be carried on as well by women as by men.

About the same time a law-copying office was started by the Society for the Employment of Women, and, somewhat later, one of the ladies most interested in the work (Miss Rye), and who wisely regarded emigration as the only real solution of the difficult problem, What to do with our women?—undertook a voyage to the Australian colonies, that she might investigate their condition, and decide how far middle-class female emigration was possible or desirable. Two colleges have likewise been opened for women of the working classes—one in London, called the Working Woman's College. Here there are evening classes for English grammar, literature, history, physiology, geography, French, Latin, and drawing. Scarcely were the classes formed, when

numbers of young girls hastened to avail themselves of the opportunity of obtaining knowledge for a small remuneration, the fees to the classes being only a shilling per term, with the exception of French and drawing, which are two and three shillings. Not only girls preparing for the duties of teachers, but dressmakers and milliners' apprentices, working women of every description and in every kind of business, ladies'-maids, and other domestic servants, snatching an hour from their duties, all hastened to the college. The staff of teachers give their services gratuitously; many of them are themselves daily governesses, who, after a long day's work, devote their few hours of leisure to the noble task of elevating the mind and cultivating the intellect of their less educated sisters. A lady superintendent and a council of teachers direct the general working of the institution, and among the occasional lecturers are not only some of the most eminent professors, both English and foreign—F. D. Morris, Godfrey Kinkle, &c.—but more than one lady who has rendered herself illustrious by her talents, and has taken her place among the leading writers of the day. So far as we can judge, the college seems working well, though as yet it is too soon to form a definite opinion as to its results.

The Queen's Institute—for the training and employment of educated women—at Dublin has been formed with a more special aim, that of assisting women of limited means to gain an honourable livelihood, by instructing them in those professions and occupations for which it appears likely there will be a demand. There are classes for drawing, engraving, lithography, book-keeping, arithmetic, colouring photographs, sewing-machines, law-writers, telegraph-clerks, and clerks for commercial houses. Of the various departments of this

institution, that of the sewing-machine seems, on the whole, the most successful. During the year 1864 fifty-four pupils entered; above thirty have obtained situations, at salaries ranging from 10s. to £1 5s. per week. Ten have bought sewing-machines, and established themselves in their own houses. The drawing and designing class, the class for colouring photographs, and the engraving department are also progressing, on the whole, satisfactorily. The law-writer's department—though many of the pupils have left through inability to acquire the law-writing hand—must be doing well, as, from the last accounts, it appears self-supporting; but that which has best succeeded is the telegraph class. The work being neither difficult nor laborious, and combining regularity, comparative privacy, and freedom from control, seems well suited for those women of the middle classes who cannot resort to tuition, and who are not fitted for the position of shopwomen. The experiment, of course, is a novel one, and only twenty have as yet obtained situations, from the year 1862—when the class for instruction in telegraphy was first established—until the present moment. But these twenty have given general satisfaction, and no complaint has been preferred against them. The class which seems most deficient is the commercial, for the superintendents are obliged to confess that not even the offers of good appointments have succeeded in inducing the pupils to conquer the intricacies of book-keeping. Nor is this all. After long discussion, the University of Cambridge has at length consented to extend to women the right of passing what is called the middle-class examination; while Miss Garrett—the daughter of an English gentleman—has, by indomitable perseverance, forced the Apothecaries' Hall to admit her as a member, and is now practising as a

physician; and a Female Medical Society has been established (August, 1865), to train qualified midwives, which all must acknowledge is a legitimate task, as the female practitioners of midwifery in England are utterly unqualified for their functions, being subjected to no regulations, and going through no course of medical study whatever. As yet it is impossible to say to what results these last efforts will lead. If, however, the members of the society confine themselves—as their present programme sets forth—to the proper education and employment of superior women in the practice of midwifery and the treatment of the diseases of women and children; if they pursue that object steadily and unostentatiously, and do not suffer themselves to be drawn aside by any purpose—apparently grander, but in reality far less valuable, even were it attainable—they may certainly achieve their aim, and confer no common benefit, not only on that large *class* of gentlewomen who now seek in vain suitable means of gaining an honourable livelihood, but on the poorer class of women, who are forced now to content themselves with the attendance of careless, ignorant, or drunken midwives, and even on those of higher rank, who shrink from a male physician at such a moment.

The Institution for Poor Needlewomen, which we have already mentioned, continues to prosper, and to exercise a beneficial influence. One of the most gratifying features of the last report is the increased remuneration the committee are enabled to offer the Government workers, the payments for shirts having been raised during the last four years to 7d., whereas the price paid by the contractors, before the committee's interference, was from 3½d. to 4½d. only. To this may be added, that the stitching is now done by machinery, which, in the

women's own estimation, is worth 2d. a shirt more. The society, indeed, seems in a fair way of success, and deserves and commands a large portion of public sympathy.

In the report of 1864-5, it is stated that its operations have been self-supporting during the last twelve months ; and the committee trust they will continue to be so, as long as Government grants them the same supply of work as it has done of late. Nevertheless, the managers gratefully accept all charitable contributions (which last year amounted to above £500), to assist the applicants when disabled from work by illness or other inevitable causes, for even at the best the earnings of seamstresses of this class are only just sufficient to provide the bare necessities of life ; and when sickness arrives, the sufferer is often left without the means of procuring a morsel of bread. A great number of those on the society's books are widows with little children dependent on them for support ; and among them are ladies of birth and education, now reduced to live by the labour of their hands.

Other institutions on the same principle have been founded. Of these the most valuable is the Society for the Protection of Milliners' and Dressmakers' Apprentices, who too often are subjected to a degree of fatigue fatal to health, and sometimes to life itself. The death of a young girl in one of the most fashionable establishments of the West End, the result of working sixteen hours at a stretch, and sleeping in a room with scarcely air enough to breathe, excited general indignation, and proved the necessity of some steps of this nature. This society registers the names of the applicants, and of the houses which require workwomen, and thus supplies the wants both of employers and employed. At the last meeting, the president, Lord Shaftesbury, stated that within the single year of its existence, 1,668 young

women had been inscribed on the books; that situations had been obtained for 190, at very fair remuneration, and that some skilled workwomen were gaining from £24 to £60 per annum.

The Co-operative Dressmakers' Society also deserves mention.\* It has been instituted with the view of remedying the sufferings of which dressmakers, as we have seen, are too often victims. It is provided that no workwoman shall work more than 10 hours a day, and none sleep together with less cubic space than 400 feet, an allowance which cannot be deemed excessive, since in Pentonville Prison each convict has 800. To avoid the losses entailed by long credit, it is provided that no article shall be sent out without the bill. If the society thrives, it will, undoubtedly, have a beneficial influence in many ways, but as yet its operations are on a very limited scale.

Nor is it only in improving the condition of their own sex in the departments of art and industry that the noble band of female volunteers are now engaged. In the preceding article mention has been made of the efforts to establish sisterhoods and deaconesses in the Church of England, in imitation of those which are attended with such advantage in France, Germany, and Switzerland. The objections raised against this and other religious communities have been noticed, and we believe refuted. It is evident that co-operation is as important an element of success in benevolent as in commercial and industrial undertakings, and that those women who, from their peculiar position, are most likely and best able to devote themselves to the care of the poor, the sick, the suffering, and the sinner—viz, the unmarried of the middle classes—would be able to perform their duties far more efficiently if they had one common home. In the first

\* 18, Clifford Street, Dover Street.

place, they would live much more economically, no small consideration to women of limited incomes. Secondly, *union, we know, is strength*; and how much more powerful is the influence of a devoted band of female missionaries, embarked in the same cause, animated by the same spirit, under good and careful training, than a number of isolated women, still belonging more or less to the world, its cares and pleasures, much of whose time is necessarily occupied by other calls. Then, as to the peculiar costume—which frightens so many people, because they fancy it must somehow or other be connected with the Church of Rome, though the example of the ultra-Protestant deaconesses of Kaiserwerth might convince them of the contrary—it has two palpable advantages: firstly, its material, which prevents those rents, tears, and soils, which so often offend our eyes in the attire of women who have not much time or money to bestow on dress; secondly, its simplicity, so well adapted to the sick-room, and the humble abode of misery and woe. Nor is this all. The garb is the visible sign of dedication—of heart, soul, and life—to charity and God. As such it commands respect, even from the worst and most degraded of mankind, and will ever be sacred in the eyes of those who, by long, careful, and personal experience and investigation, have learned the immense benefits conferred on humanity at large, not only by the Catholic Sisters of Mercy and Charity, but likewise by the Lutheran deaconesses, and who see no reason why the same results should not attend the efforts of Protestant sisterhoods in England. The Sisters of St. John, in All Saints' Home, afford a striking instance of the immense amount of good which can be effected even by one such community, under circumstances of no slight difficulty. The works on which they are engaged are as various as they are useful. The sisters

have the entire charge of the nursing of the University College Hospital, and, according to the testimony of one of the medical staff, *their services cannot be too highly spoken of*.\* The nursing of the Chorlton Union, near Manchester, and of St. Mary's Union, Crown Street, Soho, have also lately been placed under their care. They have an industrial school, in which all kinds of plain needlework are done; a home where, at the present time, fifty-two orphans are being trained for service, and instructed in every branch of household work, and which also contains wards for incurables of both sexes; a small house at Marlow, in Essex, where from time to time they send such of their inmates as require country air, and a convalescent hospital at the sea-side, for men, women, and children. When to this we add, that the sisters teach in the night-school of the district, that they visit and nurse the sick poor at their own homes, it must be acknowledged that the amount of work they accomplish is really marvellous, and would be impossible to any woman unless at once animated by the most fervent zeal, and guided by true practical wisdom. Here is the great advantage of an institution of this description, the members of which are all devoted to the same cause, and working under the same banner. No time is lost in useless discussions and empty debates, *as to who shall lead and who shall follow*. The business does not come to a stand-still from the want of some of its principal members, while at the same time

\* "They never interfere with duties and responsibilities not their own, and their untiring zeal and patience in managing and caring for the patients is beyond my conception of what it is possible for ladies to do. I fully believe our hospital has been rendered twice as valuable as before by their assumption of the nursing and house-keeping. I only trust such sisterhoods may be multiplied throughout the country."



the absence of vows, the perfect liberty which every sister enjoys of leaving the community if she thinks proper, afford a sufficient guarantee against the dangers, real or supposed, of monastic life. In three other metropolitan hospitals the system of lady-nursing is also tried—that of St. Thomas's and the two Great Northern Hospitals, and in all it is universally agreed that the plan is attended with unmingled benefit. Nothing like proselytism is attempted; and we are assured that the medical authorities freely express their satisfaction with a system which gives them all the advantages education, intelligence, and refinement can bring to bear on a task peculiarly demanding such qualities. Indeed, the success has been so undeniable that efforts are now being made to introduce the plan into St. George's and Charing Cross Hospitals, the wards of the former to be confided to the care of the sisters of St. Peter's Home, Brompton, and the latter to the ladies of St. John's House. Have we not reason to say that, within due bounds, we sincerely trust sisterhoods will increase and multiply?

Among the poor and unfortunate in England there still remains a wide field for women's labours; nor, as we have seen, are they backward in responding to the call. But there is one mission which is peculiarly their own—the most difficult, the most delicate, and the holiest of all—to seek and save their miserable erring sisters. Rescue societies, reformatories for fallen women, Magdalen societies abound, and though not perhaps always conducted on the best possible systems, are yet effecting a certain amount of good, and are worthy of more efficient support than is given them. But something more is needed—personal and individual effort on the part of women themselves, of the virtuous and unstained, who, while hating sin, pity the sinner; and, like their Divine Master, will not shrink from

contact with the wretched outcast, in the hope of reclaiming her. That there are many who do devote themselves to this task we fully admit, but we have reason to doubt whether their success is commensurate with their efforts. It is difficult—nay, often impossible—for a woman, alone and unprotected, with no recognised claim to respect or veneration, to venture into the haunts of the unhappy class to which we refer; and even when she does, she can but seldom effect any real and lasting good. Unless she is more than usually accustomed to scenes which seldom meet the eye of the virtuous of her sex, and gifted with complete mastery over her feelings, she will shrink back with horror and disgust from the sights and sounds that will meet her eye and ear. Nay, even if she overcome this difficulty, another remains. She will seldom be listened to. She will generally be asked what right she has to intrude where she is not wanted. Should she succeed in obtaining a hearing, that is but the beginning of her task; it is only by constant and repeated interviews that she can make any *lasting* impression, for a momentary one is easy enough, on beings many of whom are hardened by long habits of sin, or maddened with drink, or seeking to drown the voice of conscience and remorse by assumed merriment and scorn. She must possess an untiring zeal, and perseverance rare and perhaps almost impossible, in one whose whole existence is not devoted to one single aim.

But the Sisters of Charity are in a different position. They may be insulted or repelled, but they cannot be told they have no business amid the haunts of vice, for their acknowledged mission is to seek and save the sinner. It has been proved that a band of devoted women—nerved to the work by mutual aid and encouragement, trained to habits of *indifference* and self-control, and encircled by

that halo which belongs not to a few brief hours snatched from worldly pursuits and pleasures, but to a whole life of self-sacrifice dedicated to the service of God and man—has a far greater chance of reclaiming the fallen and miserable outcast than any equal number of women, differently situated, could possibly have.

It has been urged that none are so fitted to cope with this peculiar and melancholy phase of human sin and wretchedness as those whose hearts are at once elevated and softened by the blessed ties of wife and mother, and who can speak to these erring sisters with that authority which the dignity of wife and mother alone confer. And this is undoubtedly true. But the greater part of such women have other and holier duties, which absorb—and ought to absorb—their time; and most of those who devote themselves to the task of visiting the poor and reclaiming the wanderer, in England at least, are the unmarried. This objection, therefore, will not hold good; for if single women are to venture at all into such scenes, it is surely safer for themselves, and more beneficial for the objects of their solicitude, to do so under the hallowing and protecting mantle of religion. Again, we are told, that to effect any real good to this class, who, though all comprised under the same stigmatising appellation, are so various—of whom some, born and bred in guilt, are really scarcely responsible for the loathsome course of existence they pursue; while others have freely chosen it from vanity and love of ease and pleasure; and others, again, victims of seduction, have fallen through weakness and through vice—it is necessary to know more of the world, its joys and its sorrows, its allurements and its fascinations, than is possible in women many of whom take the vows in early youth, and whose existence is too austere and self-renouncing to permit of their understand-

ing this class of sinners, or making any allowance for temptations they have never known.

But it must be remembered that the Sisters of Charity and Mercy do not dwell in the shades of a cloister, apart from the busy haunts of men, but amid those haunts; that their days are necessarily passed in scenes of suffering, sorrow, and vice, which seldom or never meet the eye of other women; that many of them do not enter the community till they have attained a mature age, have had quite sufficient experience of the trials and temptations of life to comprehend the possibility of sinking beneath the one and yielding to the other; and that, besides, Divine love has a power at once vivifying and softening, which teaches the soul where it reigns supreme to sympathise with every kind of suffering, and to pity the sinner, even while abhorring the sin. We perfectly agree with a most gifted and philanthropic writer,\* that the natural duties of life are before all voluntary dedications—that the names of mother, daughter, and wife are holier than that of *nun*; but we believe the preceding article has clearly shown that there are thousands of women in England who are not, and never can be, either wives or mothers, and hundreds who, from peculiar circumstances, have no duties to perform, either as daughters or sisters, without any decided vocation for art or literature, mere strays and waifs on the stream of existence, wasting the time and talents entrusted to their care in frivolous amusements or absolute inanity. There are others, too, of the lower classes whom a life of active charity would save from almost inevitable perdition. It is to these we would say become Sisters of Charity. We would not have one

\* Miss Cobbe, "Lay and Monastic Charity." In every other conclusion of the author, in this article, we entirely and decidedly differ.

domestic duty neglected, one home darkened, one genius repressed, one wife or mother the less; but to the myriads of women who now wander about, burdensome to themselves and useless to others, we would point to the Sisters of St. John and to the Deaconesses of Kaiserwerth, and say, "Go thou, and do likewise."

## ENGLISH ELECTIONS.

THE representative system of Great Britain in its present form dates only from the year 1832. Before that period the right of voting was very unequally distributed in England. The elective franchise indeed remained the same, but practically it had undergone a complete change. The progress of commerce and industry within the last fifty years had brought about prodigious metamorphoses in the social condition of the country; villages scarcely peopled had been transformed into flourishing cities; small boroughs had become great industrial centres; while towns formerly important had dwindled into insignificance. Many, indeed, were reduced to a few houses, like that of Old Sarum and Gatton; others depended on a very small number of proprietors, and were, consequently, entirely under their control; yet all sent one or two members to Parliament, while Birmingham and Manchester sent none. It will readily be conceived how favourable was such a system to the preponderance of the aristocracy. It had certainly its good side: the rotten boroughs, as they were called, served as a training-school to some of the most celebrated orators and statesmen which England has ever produced—to Pitt, Fox, Burke, and Sheridan. Thanks to noble and wealthy protectors, these illustrious statesmen were able to enter political life at an early age, and to devote all

their time and talent to the service of their country. But it is not from their accidental but from their habitual results, that laws and Governments must be judged. An exception cannot establish a rule ; and the abuses of the old electoral system were too flagrant not to strike all honest and clear-sighted men. The French would have had recourse to a revolution. The English adopted measures less violent, but more certain to attain the end desired. In France, the nation always begins by pulling down the edifice from the roof to the foundation-stone, in order to construct something superior in beauty and regularity. That half the inhabitants should be buried beneath the ruins is, of course, inevitable ; but that is of no importance. The building will be superb ; there will be people enough to fill it by-and-bye. The English set about matters in quite a different style. Thoroughly practical, they laugh at the Utopian, who at a single stroke would sweep away the time-honoured institutions and habits of a nation, to give them a social system all of a piece. They love and respect that venerable edifice, the English constitution—that old and noble fortress, which has served as a rampart to liberty in days of peril, and behind which their fathers had often found refuge when attacked by kings and princes. True, that fortress, beaten as it has been by so many a tempest, battered and worn by the hand of time, might be in many respects no longer fitted to meet the wants and exigencies of the present epoch. It evidently required to be repaired and enlarged. So the nation set to work, with right good-will indeed, but with reverent and careful hand. What they desired was to make the necessary alterations, not only without shaking the foundations, but while preserving as far as possible the general structure. This was not an easy matter. There were violent debates within the walls of

Parliament, fierce denunciations, stormy meetings, and dark threats from men whose passions were roused by interested demagogues and unreflecting patriots. There was a moment, too, when worse things seemed at hand; when mobs and incendiaries disturbed the public peace, and England seemed menaced by the horrors of a revolution. But mingled firmness, mildness, and concessions made with dignity, and, above all, made in time, saved the country from the threatened danger. The Reform Bill was passed; though very far from perfect, it removed the most flagrant abuses, and the time-honoured fabric of the English constitution remained intact and unshattered.

The elections which have just terminated have presented a singular spectacle and valuable lesson to all observers. There might be seen that order in the midst of excitement, that liberty of word and action, that respect for ancient laws and customs, which is the leading characteristic of the English nation.

The important day arrives. A committee is formed to direct the electoral proceedings. It meets every day in a house hired by the candidate; covers the walls of the town with a declaration of his political creed, and holds numerous preparatory meetings, either at the Town Hall or elsewhere, in which he sets forth his opinions, and replies to all the questions that may be addressed to him on all possible subjects. He must also pay visits to his constituents, to ask their suffrages, and to offer his thanks to those who have already pronounced in his favour. At length the lists are opened, and every man who has a vote inscribes his name. The evening before the election the show of hands takes place. Sometimes there is but a single candidate, and then the election is carried by acclamation; in short, the candidate walks the field. But in the contrary case, the show of hands is a mere



formality ; it is the poll which takes place the following day which is to decide. Still, the show of hands, though not definitive, since it cannot be subjected to any proper control, is by no means unimportant ; it flatters the non-electors with a show of power, which is almost as good as the reality. An immense wooden stage, or hustings, as it is called, is erected in front of the Town Hall, and there the members of the various committees assemble, each wearing at his button-hole the colours of his candidate. A crowd of men and youths, the great part *non-electors*, fill the space below, and accept without a murmur a line of demarcation which in France would revolt the general sentiment of equality. Above, on the hustings, is an assembly in great-coats and broadcloths ; beneath, a mob in shirt-sleeves and fustian ; and yet between these crowds, so different in outward appearance, in garb and station, exist those bonds of union which act most powerfully on the human mind, reverence for the institutions which have ever formed the strength and glory of England, the love of country and respect for the law. At the windows of the surrounding houses stand the wives, daughters, and friends of the rival candidates, who are likewise recognisable by the colour of their ribbons. The mayor or sheriff opens the great business of the day by a speech which may not inaptly be compared to the discourses with which the exhibitors of curiosities at fairs precede the exhibition of their shows, only here the auditors are themselves the actors. Frequently a clown, hoisted on the shoulders of one of his comrades, pronounces a long discourse before the official speeches commence, and elicits roars of laughter. The mayor is followed by a proposer, who presents one of the candidates, and by a seconder, who supports him. Then the candidate himself addresses the mob, and waving of hands

and hats, cheers and hisses, interrupt and follow his speech.

The scene is at once curious and characteristic. The partisans of the speaker, who have grouped themselves together preparatory to action, do their best to get close to him, and push and elbow their way till they achieve their end. As soon as he has concluded, the friends of the adverse candidate advance in their turn to drive the others back, and the struggle gives rise to the strangest and most extraordinary scenes imaginable. Sometimes the crowd bends backward and forward in one direction, like a field of corn when a gust of wind sweeps over it ; sometimes it surges to and fro like the ocean in a storm. All at once—and perhaps amidst an apparent calm, and at the very moment the orator is in the midst of an eloquent discourse on religious liberty, or the excellent schools with which he will endow the country if he is chosen member—there is a sudden and simultaneous movement in the crowd beneath ; every man turns round upon his neighbour, and exchanges with him a round of fisticuffs, for which it is difficult to assign any particular reason ; then, after a few minutes of this general boxing-match, the pugilists shake themselves and turn quietly round towards the orator, who continues his speech as if nothing had occurred, until again interrupted by a new event of the same nature. Sometimes the mob does not content itself with this mode of proceeding, hard blows with sticks are exchanged, and a good many heads broken ; but neither poniards or fire-arms are ever used. Sometimes, as at Brighton, a shower of sand is flung by one of the opposing parties in the eyes of the other, and this rather cowardly expedient clears the ground as if by magic, though, of course, for an instant only.

Now what is at the bottom of this show of hands ?

An homage rendered to the great principle of the sovereignty of the people. It is true that the popular decision is not valid in the eye of the law, that it may be impugned to-morrow by the results of the poll, but that is of no importance—the people *have* been consulted, that is sufficient to prevent their feeling wounded in what it regards as its dearest and holiest rights. This pretended appeal to that part of the nation which has no vote is a trait of profound skill and wisdom on the part of the English aristocracy. At first sight it might be thought that in this ceremony everything was fictitious except the blows. But, besides the fact that although not decisive they may exercise a certain influence on the vote, they have at least one positive result, that of rendering it real and tangible in the eyes of the people. When a citizen returns home, his clothes torn to pieces, the crown of his hat broken in, his face bleeding and covered with scratches, how is it possible that he should entertain a doubt as to the reality of the share he has taken in the election of his representatives? It is not for nothing that the son of a Marquis of Bristol or Duke of Somerset stands hat in hand before those men in greasy vests whom he calls gentlemen, and to whom, with an air of the utmost deference, he renders an account of his actions and opinions. In short, open as it is to theoretical objections, like many other parts of the British constitution, this proceeding is based upon wise and sound maxims.

Still, as we perceive, the elections, although greatly improved since the Reform Bill, are subject to grave abuses. The hustings on which the electoral committee assemble, reminds one of the *podium* of the Roman circus, where the emperor and the imperial court sat to behold the scene; while the crowd battling in the arena beneath recalls the combats of the ancient gladiators.

The peripatetics of the Roman circus are reproduced on the English hustings ; and in one of these preparatory scuffles an honourable gentleman of my acquaintance was carried off from the *podium* and borne away by a hostile crowd, which, however, did not devour him.

The next day the poll, if a poll has been demanded, takes place. Before the Reform Bill it lasted a week, ten days, or even a fortnight. Of course, the longer it lasted the more money was spent, and the better the electors liked it. At present the election cannot last longer than three days. It is not carried on, as in France, by bulletins placed in an urn, but by the inscription of the name of the elector in the list open for each candidate. In England, public opinion, as a general rule, is decidedly adverse to the ballot. It insists that everything should be done in the light of day. Almost every year Mr. Berkeley proposes the adoption of the ballot system, as the only means of repressing electoral corruption, which, despite every precaution and prohibition, is but too common in English elections. He has never been able to command more than a feeble majority. The English character refuses to submit to the constraint which such a law would necessarily impose ; and, indeed, among a people in which the liberty of the press and free discussion exist in the fullest sense of the word, it would be difficult for a man effectually to conceal his political opinions. Besides, as Lord John Russell lately observed, on one of these motions, this measure would really be of little avail—the only result would be, that the electors would be enabled to sell themselves twice instead of once, as their votes would not be known. As to intimidation, that does not enter into computation. Who is there to fear ? The Government ? It takes no part whatever in the elections. Government functionaries

scrupulously abstain from the slightest interference. The ballot would present no advantage, save to those who are in some way or other dependent on the wealthy proprietors of the country. But have they not the means of defending themselves, and resenting any interference with their legitimate rights? The press is there to receive their complaints, and to re-echo them from one end of England to the other. Besides, an Englishman must have courage enough to express his opinions, whatever they may be. He must dare to say "yes" or "no" without fear or hesitation, when the sense of right demands it; he must know how to sacrifice his private interests to the duties of citizen. In England everything in the Government and Administration is exposed to the full blaze of publicity. Why should the electors alone be placed beyond the common pale? There is another important consideration. A numerous class of citizens, as we have seen, are not represented at all in Parliament. It is but fair that they should possess the means of knowing and judging the conduct of those electors or representatives and deputies who act in their names.

The polling begins at eight o'clock in the morning, and closes at four in the afternoon, when the result is proclaimed from the hustings to the crowd by the mayor or sheriff. This is a moment of great excitement; hope and fear prevail by turns. As the number of votes are counted every hour and posted in every part of the town, all interested in the matter can follow the chances of each candidate, whether successful or otherwise. As the close of the drama draws nigh, the excitement increases; and when the poll closes, it is at its height.

Sometimes the polling register is placed in a sealed envelope, is delivered to the registering officer, and the result is not announced till the following day. This

ceremony terminates the election. The rival candidates make harangues. The victor congratulates his constituents on the triumph of their party and opinions, and promises to prove worthy of the confidence they have reposed in him. The vanquished thanks his friends for the efforts they have made in his behalf, and consoles them and himself for their defeat, by the assurance that he hopes soon to try again with better success. Generally speaking, the two adversaries shake hands and part as good friends, or at least loyal enemies. The nation has pronounced its opinion on men and things; and the institutions of the country, thus put as it were on their trial, have come forth more respected and stronger than ever.

I have spoken of the occasional tumults of elections. They have been much less stormy of late years, and the corruption, though it is certainly anything but banished, is at least considerably diminished.\* The present system

\* Unfortunately, recent events have proved that—in the words of one of the most distinguished members of the House—"the real plague-spot in the English constitution is the bribery and corruption, which are as rife as ever, not only in the last, but in every election. That the expenses of elections are a cankerworm in the very heart of the constitution." Referring to the boroughs—"The expenses of the election for Stafford," said the hon. member, "were £5,400; Stoke-upon-Trent, £6,200; Sunderland, £3,000; and Westminster, £1,200. These are the aggregate expenses of all the candidates. Mr. Mill was elected in a burst of honourable enthusiasm. I am sure he did not contribute in any way to swell the election expenses. His election ought to have been gratuitous; but mark what it cost—£2,302. I believe it did not cost him sixpence. He refused to contribute anything. But look to the state of our popular elections, when such an outburst of popular feeling could not be given effect to without that enormous sacrifice of money."

The late disgraceful behaviour of the Nottingham "lambs" prove that violence and corruption are as little banished as bribery. Still, there is a decided improvement.

is, indeed, far from perfect. The means employed to gain the suffrages of the electors are frequently objectionable in the highest degree; but they are a vast improvement on the scenes of violence and intimidation which, previous to the Reform Bill, seemed the necessary accompaniment of a contested election. The most incredible anecdotes are related on this subject. Sometimes the friends of the candidate engaged all the horses and carriages on the road, and gave fabulous sums to the innkeepers to prevent their hiring them to the adverse party. Sometimes they carried off the elector who was to vote for their opponent bodily, and lulled him to sleep by a dose of opium, cleverly administered in a bumper of wine or spirits—a bait no Englishman can resist.

Tricks and manœuvres of every description were considered a legitimate mode of warfare. Not that legal enactments are wanting to forbid and punish bribery. No candidate was entitled to offer money to the electors; and if any attempt at corruption was definitely proved, briber or bribed were equally guilty in the eyes of the law. But nothing was easier than to elude these enactments. Matters were so arranged as to make out that the money was *spent*, not given. Thus, in some of the electioneering accounts, we find £20 had been paid for a loaf of sugar, and £3 for a fat capon. It was rather dear, certainly; but, after all, it was money paid for goods received, and nothing was to be said. Every one knows the reply of the honest tenant, when asked to whom he would give his vote—"Faith! I can't tell; the beer's as good one side as the other!"

Now not a pint of beer is distributed—openly, at least; and the good fellows who give each other such hard knocks, for the sake of a candidate in the election of whom they have no voice, are for the most part neither

under the influence of drunkenness nor of personal capitation. Nevertheless, an election—that of Brighton, for instance—cannot cost less than £1,000, unless, indeed, it is not contested. The legitimate expenses are necessarily large. There are agents to be paid for going from house to house three weeks beforehand, collecting suffrages, and lawyers for taking care that all due formalities are observed. There are houses to be hired for the meeting of committees, and carriages, as many as a hundred at a time, for the use of each elector from morning to night. All the accounts are submitted to the House of Commons, and rigorously inspected by a special committee; and the lately elected member can be deprived of his seat if it is proved that either he or his agents had, with his knowledge, resorted to illicit means of obtaining suffrages. These measures certainly prevent open bribery, but cannot impede the secret corruption, against which public opinion utters a continual and unavailing protest. On a recent occasion a candidate was accused, we believe unjustly, of having resorted to illegal means for turning the show of hands to his advantage, and this accusation lost him above 100 votes. In a town of 60,000 inhabitants, 4,000 of whom are electors, an election costs about £1,000; that of the county of Sussex, £3,000. The natural result is, that none but men of wealth can become candidates; and this is decidedly a guarantee for the preservation of social order, whatever may be its disadvantages in other respects.

The account of the election at Brighton, at the end of March, 1857, may give a tolerably fair idea of what takes place on similar occasions elsewhere. There is a considerable amount of disorder, restrained, however, within certain limits. But matters do not always go on so quietly; and the elections occasionally give rise to



scenes of the most disgraceful violence : as at Kidderminster, where the candidate, the Right Hon. Robert Lowe, was attacked and dangerously wounded by stones hurled at him by a furious mob of 5,000 or 6,000 carpet-weavers, who declared their resolution to kill him outright. Several of his friends, and even some policemen, were likewise severely wounded, and the candidate himself only escaped certain death by taking refuge in a house, the doors of which the assailants endeavoured to force. The most singular part of the business is that Mr. Lowe was a Liberal, and antagonistic to Conservative or Tory ; so that the crowd espoused the cause, and we have seen with what violence, of the candidate opposed to its political emancipation.

England is the country of contradictions ; but, at the same time, these contradictions do not compromise either social order or the stability of Government. All the journals of the country, both Conservative and Liberal, united in denouncing this savage outrage, and large sums were subscribed to pay the expenses of law proceedings against the leaders of the outbreak.

The duration of Parliament is seven years. It sits from the month of February to the month of August. The members of the House of Commons have thus nearly six months' vacation, of which, however, it must be allowed, a considerable portion is devoted by many to the affairs of the country. Once elected, they can claim certain personal privileges, similar to those enjoyed by the French deputies. During the session they cannot be either sued or arrested for debt, &c. &c.

At the present moment it is seriously proposed by some of the leading men of the country to extend the right of suffrage to a very considerable degree. The Conservative party seem as anxious about the matter as

the Liberal ; and it is but a short time ago that Mr. Disraeli proposed a measure which would have added more than 300,000 members to the electoral body. This measure, however, did not receive the sanction of Parliament ; and indeed the House of Commons, as a body, does not appear desirous to effect any immediate changes. Indeed, the proportion of the working classes who have already votes is by no means insignificant ; and I have heard it computed by competent authority as high as 26 per cent. in the borough constituencies, and even more in certain of the manufacturing towns. Is more desirable at the present moment ? But whether the existing franchise be altered or no, it seems pretty certain that a new element will be gradually introduced into the House of Commons. The effect of the Reform Bill of 1832 was to transfer a portion of that power which had previously been in the almost exclusive possession of the land-owners to the middle classes, but the representatives themselves continued for the most part to belong to the landed gentry, and to that part of the community engaged in liberal professions. But for many years past, the financial, mercantile, and industrial classes have been taking every day a more and more important step among the representatives of the nation ; and this must inevitably increase with the increase of commerce, manufactories, and public wealth. The son of the rich banker or merchant who has received a university education, and who in days of yore would have deemed the counting-house or office beneath him, and who had insisted on entering the Bar, the Church, or the Army, now follows his father's calling, which he elevates and graces by his cultivated intellect and extended range of knowledge.

Will the country be the gainer ? That time alone can decide.

THE  
TERRITORIAL, JUDICIAL, AND POLITICAL  
DIVISIONS OF GREAT BRITAIN.

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ENGLAND is divided into forty counties, each of which has a lord lieutenant and high sheriff. Both are nominated by the Sovereign, and chosen from the principal landed proprietors of the county. The first must belong to the aristocracy. He is assisted in his duties by vice-lieutenants of his own selection. As a rule, the lord-lieutenant retains his appointment during life. Neither he nor the high sheriff receive any salary. On the contrary, it is only the wealthy who can accept these functions, as they entail very heavy expenses, in consequence of the amount of ceremony and the number of receptions demanded from both. The duties of the lord-lieutenant are very limited in their nature; indeed, in times of peace they are almost nominal. He commands the militia, and points out to Government the magistrates and judges he desires selected for his county, who are almost always chosen according to his recommendation. The functions of the high sheriff last one year only, and a heavy fine is imposed on any one refusing to fill them. But during that year he takes precedence over the lord-lieutenant himself. It is his special duty to enforce the maintenance of peace and order, and, in case of any disturbance, to take such measures as may be necessary to quell it. He prepares the list of the grand juries, presides over the

elections, and takes his place on the bench beside the judges in the criminal courts. Every year at the period of the assizes, the sheriff, with an escort of twenty-five or fifty men-at-arms, magnificently arrayed at his own expense, rides forth to meet the judges and conduct them to the apartments prepared for them.

The English have also a county administration, which in some respects answers to that of the French departments. Thus it is a board of magistrates or justices of the peace which is charged with the duty of levying and controlling the taxes raised for the support of prisons and lunatic asylums. These magistrates unite administrative with judicial functions. They sit on the bench—sometimes separately, sometimes two or three together—either in the petty sessions held every week or fortnight in the smaller towns, or in the general quarter sessions, held in the principal cities of the county. Petty thefts, frauds, vagrancy, drunkenness, and mendicity—all minor offences, in short—are brought before them. Generally speaking, they deal with them summarily. No jury is empannelled on these occasions; the justices themselves interrogate the accused and the witnesses, pronounce the sentence if they consider the case proved, and dismiss it if of a contrary opinion. When graver offences are in question, they refer the matter to the quarter sessions. The magistrates are chosen among the landed proprietors and country gentlemen. Their functions are gratuitous and for life, but in certain cases they can be dismissed from their post. There are at present no less than from 4,000 to 5,000 of these county magistrates in England. Among this large number are certainly many unfit for the duties entrusted to them; but, on the whole, they fulfil them well and conscientiously. Besides, in a certain degree, they may be called to account by any one on whom they have pro-

nounced a sentence not fully justified by the offence ; and as they are generally chosen from among the heaviest ratepayers, they are interested in economising the resources of the country to the best of their ability.

These county magistrates have little or nothing to do with the Secretary for the Home Office. They render no account of their returns, unless it is specially demanded, and under peculiar circumstances ; in fact, Government exercises a purely passive authority, and always avoids direct interference in the local administration.

Occasionally the House of Commons or the minister points out some measure which, in their eyes, seems useful for the county or the parishes, but it is for the local authorities to adopt or reject it as they think fit.

What a prodigious difference between the character and genius of the French and English ! The former have not left even the appointment of a village mayor to the choice of the inhabitants, while in England the administration of parishes and counties is carried on without the interference—and almost without the knowledge—of Government. It is not astonishing that, under these circumstances, the executive power should never be tempted to encroach on the legislative.

Every member of the House of Commons has his share in the administration of his parish and his county, and this local action—which, for the last thirty years, the French deputies have in vain sought to obtain—is exercised by him as a right, without prejudice to the constitution or peril to the Government.

The lord-lieutenant may occasionally have to solicit some favour from the Home Office for a civil or military officer, but these solicitations are necessarily very limited, and can never increase to a degree likely to compromise the political institutions of the nation.

All the principal towns in England have now a mayor and municipal corporation. The mayor is elected for a year by the corporation and the ratepayers, and may be considered as one of the chief preservers of order in the country. If, for instance, a telegraphic despatch from the capital, announcing a successful revolution, were to order the lord-lieutenant, the high sheriff, and the mayor to recognise that resolution and render obedience to the authorities installed in place of the regular Government—those functionaries would certainly refuse obedience, and the principal resistance would be on the part of the mayor, who holds his office, not from the executive, but from his fellow-citizens. That which forms the strength and safety of the English Government is the will of the nation, against which any mere party revolution would always be powerless.

Generally speaking, even if a revolutionary outbreak does occur, the Government and the nation take very little notice of it, for they know beforehand it will end in nothing. For instance, it is reported that a body of 12,000 or 14,000 Chartists have assembled in the neighbourhood of London, or elsewhere, and that they have deliberated on the rights of property, universal franchise, or the question of salary, and declared their intention of obtaining their demands by force, if justice, as they call it, is denied them. At this news the English shrug their shoulders, and the affair is settled. The people, as a whole, are so convinced of the excellence of the constitution and the necessity of a monarchical government, that the ultra-Radicals and Chartists themselves, whatever their private dissatisfaction with the existing state of things, do not desire a republic, or at least dare not confess they desire one. To quote the language of the most violent of modern Republicans—Mazzini, “the love of monarchy

has taken root in the very heart of the nation." In fact, in England, liberty advances fearlessly and calmly under the protecting shelter of the constitution and the laws. Her powers have been developed from generation to generation, even as her constitution has grown and strengthened with the growth of centuries. She is calm, for she has the innate consciousness of her force ; she is patient, for she desires that the tree she has planted with such toil and difficulty should thrive and grow, and she knows that she must give it time to strike its roots deep in the parent soil ; but she doubts the efficacy of those violent revolutionary changes, the sole results of which have hitherto been anarchy and despotism. Yet she is indefatigable ; for time is flying fast, and to remain stationary is really to retrograde. There is no country in which the distinctions of class are more clearly defined than in England, and yet there is no country in which the aristocracy enjoys a popularity so great and so extensive. The fact is, this aristocracy is not founded on a system of exception from the taxes and all the duties of the rest of the community ; it is not separated by insuperable barriers from the middle or working classes ; there is nothing wounding or burdensome to the great bulk of the nation in the privileges it enjoys. Though its origin is coeval with that feudal epoch whose customs and manners are so widely different from our own, it never excited the hatred of either peasant or artisan, as was unfortunately the case in France. It was the barons who forced King John to sign that Magna Charta, which has served as the basis to the English constitution, and the germs of progress and liberty. The Earl of Essex, and others of the same rank, fought valiantly in the Parliamentary ranks ; in short, freedom and constitutional government have found zealous and devoted champions in the nobility. The

English are not ungrateful. They know, too, that many of the most illustrious representatives of the nobles are always at their post, whenever any question which affects the happiness or welfare of the working classes claims public attention; that they are ever ready to support the cause of the suffering, to defend the rights of the oppressed.

Nor is the English aristocracy a caste. In each family there is but one—the eldest—who bears a title, with the exception of dukes and marquises, where the other sons have a right to that of lord. But, generally speaking, all the younger branches of a noble family re-enter, as it were, the ranks of the democracy, and remain mingled with them. The nobility is open to all who distinguish themselves in political life, in diplomacy, or in finance. The race is thus perpetually renewed. Fresh and healthy blood is infused into its veins. Besides, the English nobles take the initiative in every useful institution, while at the same time they serve as moderators between the democratic element and royalty. Undoubtedly among their members are frivolous and haughty individuals, completely ignorant of every class except their own, and looking down with supreme contempt on all who do not belong to their clique and coterie. But these, which form the exception, not the rule, are daily disappearing. Thus, despite its faults and weaknesses, the English aristocracy has won a firm and durable place in the affections of the people. The rural population, in particular, look up to them with affectionate veneration. Will it preserve this legitimate ascendancy? That time alone can determine.

The practical good sense which makes all the English agree on the fundamental points of their social and political system, seems to result from the qualities peculiar



to their race, and from the influence of their climate. Their ancestors the Saxons had also in a very high degree the sentiment of independence and nationality. Generous food and their habitual drink (beer) tend to calm the nervous system, instead of exciting it, and lead to a reasonable and patient employment of their physical forces, rather than to feverish dreams and Utopian schemes, beautiful enough in theory, but utterly absurd in practice. When, for instance, the stranger walks through the streets of London, crowded with throngs of carriages, carts, and vehicles of all descriptions, he is amazed at the quiet and order which reign in the midst of this prodigious circulation—no clacking of whips! no neighing of horses! no shouting! no vociferation! It is the silent activity of an ant-hill. The climate has a great deal to do with the matter: less cold in winter, less warm in summer than that of France, it does not hurry on the current of the blood, or move the soul as with an electric shock, like that of southern climes, which acts on the physical as well as the moral man—on the bile as well as on the feelings. There is a freshness of colour you see in no other country. People living in a damp atmosphere do not easily become excited. They reason coldly; discuss matters calmly; are not inclined at any given moment to overturn that Government which gives them security and liberty. In such a country, even the destitute and the poor (and we have seen how numerous they are), however earnestly they may long to enter a protest against the state of things to which, rightly or wrongly, they attribute their condition, can never summon up the revolutionary enthusiasm of a French population; and their timid and hesitating attack would be at once repulsed by the great mass of the people, who are interested in the preservation of order.

What a prodigious contrast between the inhabitants of London and Paris ! But what a contrast between the climate of the two capitals ! In the English metropolis for six months in the year you can scarcely make out what your neighbour is like at ten paces' distance, unless the weather happen to be exceptionally fine ; and when people cannot see each other clearly, they are all the more inclined to listen patiently to what is said to them. In this semi-twilight, the inhabitants are doubly sensible of the value of a settled Government and a good police. What would become of one in a London fog, for instance, if we were not protected by a general love of peace and respect for the law ?

When a revolt or a disturbance *does* happen to assume a serious aspect, the citizens do not interpose between the rebels and the troops for the purpose of shielding the former. On the contrary, every householder assumes the duties of special constable, arms himself with a life-preserver, and hastens to his post. In France, unfortunately, matters are very different. There, when order is disturbed — when the very existence of society is menaced, the Parisians likewise fly to arms, but it is to protect the insurgents ; and the conduct of one statesman, even the most eminent among them, who might at least be expected not to be quite devoid of common sense, is even more inexplicable than that of the multitude.

What did we see, in fact, during the whole eighteen years of Louis Philippe's reign ? The most zealous upholders of constitutional monarchy doing their very best, both within and without the Chamber of Deputies, by their speeches and the organs of the press, to destroy the very Government they had themselves chosen, and to which they were at heart devoted. How often were they warned of the inevitable results of their folly ! How

often did we repeat to them, "Take care ; the constitution is the only barrier which protects you from Republicanism. If you destroy, nay, if you weaken it, as you do by incessantly attacking the monarch and the monarchy, who by that very constitution are beyond the pale of your criticisms, you will ruin the Government, and shake society itself to its very foundation !" Vain warnings ! These men, so gifted, so wise in their generation, would listen to nothing. They played with the constitution till they broke it, and when it crumbled to pieces in their hands, they began to mourn for it. If Parliamentary Government is an impossibility in France at the present moment, who is to blame ? Our Parisians, great and little, have behaved like children. Parliamentary Government is fitted only for men.

To render such a Government durable in France, our municipal and departmental administration must be placed on the same footing as in England. But is this possible ? Neither our social condition nor our national character allow of it. We have no longer wealthy proprietors enough to allow of our choosing from among them high sheriffs renewable every year, and magistrates able and willing to undertake gratuitously the administration of justice. There are few large estates remaining in France. By abolishing entails originating in feudalism ; by insisting on the equal division of property, real as well as personal, among all the members of a family, we have gone to the other extreme. We have destroyed the very first and holiest right to which a man is entitled—civil liberty ; we have forbidden the father to dispose of his own fortune by will according to his pleasure, even if, as is so often the case, that fortune be the fruit of his own toil of head or hands. Now, without absolutely defending the law of primogeniture as it exists in

England, where in our opinion it displaces the social equilibrium of the country to too great a degree, it must be admitted that it gives the political institutions of the country that solidity which is so fatally wanting in our own, and which always will be wanting so long as the inheritor of a noble and time-honoured name is obliged to sell what is left him of his patrimony for want of means to keep it up. Whatever be the advantages of the French law in certain respects, it is clear that the indefinite division of property is a misfortune to society, especially when it involves the alienation of the paternal mansion. But the most deplorable result is the desertion of the country by the nobles and the middle classes, which renders anything like local administration (self-governing, at least) impossible. Nothing would be done in our rural communes, neither in the way of roads, repairs, buildings, or schools, if these things were left to the municipal councils. It was with no little difficulty that the Government succeeded in carrying out the law of 1836 on parochial roads. The fact is, Frenchmen require that all their public business should be done for them; Englishmen prefer doing it themselves. Such is the difference between the genius of the Celts and the Germans. Among the latter, all resolutions concerning public and political affairs emanated from the assembly of citizens. The Gauls never did anything great or good, save when they recognised the supreme authority of a Brennius or a Vercingetorix. The English worship liberty, the French equality. In a society so levelled as ours, the revolutionary wave, once lifted by the tempest, encounters nothing capable of resisting it; while in England it is broken against the impassable barriers of the aristocracy, the clergy, and the gentry.

But such a political constitution cannot be established

*at once* in any country. It is not the work of human hand; it is the growth of centuries; it is the result of time, experience of doing and suffering—of a thousand circumstances, in short, acting on the nature of a people essentially patient, practical, and positive—for John Bull well deserves his name. Like the patient and indefatigable ox, he traces his furrow with slow and steady step till he reaches the goal. To endeavour to introduce the English constitution such as it exists in Great Britain, without modifying it, into any other country, would be like pulling a machine to pieces, every part of which works well while it is together, and after giving it to an inexperienced hand to put together again, wondering that it is out of order. It is a mighty tree, whose branches have thrown themselves in every direction, without symmetry, indeed, but not the less covered with luxuriant flowers and fruits. Ideas cannot be acclimatised like animals. True, there is a continual interchange of thought and opinion between the different nations of the globe—that is an essential condition of civilisation itself; but to allow of the political ideas of one people being transplanted with success into a foreign soil, there must exist between those two peoples a certain similarity of genius, race, and custom; above all, time is needed—that great master of all things—and patience, in which, unfortunately, the French character is peculiarly deficient.

In England the Government does little more than carry out the will of the nation, when that will is once thoroughly ascertained. What interest, then, have the people to overturn it? It would be suicide. Before thinking of a constitutional Government in France, we must create the public spirit, and accustom the nation to manage its own affairs—not only those of great im-

portance, but all the details of local administration. Till now we have not had the taste for such things.

Perhaps, also, we have less aptitude for labour than the English. When a Frenchman has finished his work, he needs repose and amusement ; that repose and amusement an Englishman finds in studying questions of public interest, and in disseminating the solution he gives them. The Frenchman loves shows and spectacles ; he has aspirations towards what is great and noble ; he loves things that are new and exciting. The Englishman loves serious affairs. After spending the day in his office, he gives lessons in a school, or attends public lectures given by travellers, *savants*, chemists, &c. &c. What Frenchmen should learn is order in movement, submission to the law—even to laws of which they demand abrogation—public spirit, and the community of duties and interests which attaches the citizen to every general question. There is nothing good or useful that the English cannot obtain by that community. The originating of public or social measures does not come from the Government, but from the governed. When the Englishman conceives the notion of reform, or of a new measure, he puts it forth in the newspapers, and obtains adherents by every means of publicity. When he has got a sufficient number to agree with him, he calls a meeting ; and the result is a petition to the minister. The minister gives at first no pledge to the deputation that wait upon him. He does not, indeed, deny that the measure is a proper one for consideration ; but before it be made the subject of a bill, he requires that it should be supported by manifestations more numerous and more significant. He requests the deputation to give to this project the guarantee of public opinion. The movement goes on in favour of the measure, and perhaps at the end of ten years, more or less,

the subject is again brought before the Government, made clear after a long and general discussion, and backed by the majority of the citizens. It is then, and only then, that the Government adopts and proposes it to Parliament, who are thus enabled to decide with a full knowledge of the subject. In point of fact, the Government does little more than place on record the wishes of the country.

THE END.





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